UNIVERSITY OF PENNSYLVANIA

LATIN AMERICAN RELATIONS WITH THE LEAGUE OF NATIONS

WARREN H. KELCHNER

A THESIS

IN POLITICAL SCIENCE

PRESENTED TO THE FACULTY OF THE GRADUATE SCHOOL IN
PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR
THE DEGREE OF DOCTOR OF PHILOSOPHY

PHILADELPHIA
1930

Diss. Philadelphia
1930.

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Reprint of
A WORLD PEACE FOUNDATION BOOK
BOSTON, 1930

PHILADELPHIA
1930

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LATIN AMERICAN RELATIONS

WITH THE

LEAGUE OF NATIONS

By Warren H. Kelchner, Ph.D.

I. INTRODUCTION

INTERNATIONAL organization has come to be an important, even vital, factor in the life of states. The creation of the League of Nations marked the farthest advance in this direction and since 1920 the League has become firmly established as an integral part of the international fabric. Although political questions were included in the jurisdiction of the League, its chief importance has come to be associated with its functional activities.

The administrative value of international institutions is now accepted by most nations as an essential concomitant of community activity. Separate international offices or bureaus had been established during the half century prior to the outbreak of the World War but these dealt with specific fields, as for example, the Universal Postal Union. International organization had developed in the Americas since 1890 on the basis of a community of interests among the nations concerned.

All of the Latin American countries entered the League of Nations with the exception of Ecuador and Mexico, and most of them have participated in its program. The League conformed to that idealism which the Latin Americans have repeatedly expressed during the century of their existence.

A great orator once said, "Man stands with paradise behind him and before him, between a great recollection and a great hope." To Latin America this was in a sense true of the League. On the one hand, they recalled the scheme of Bolívar for a family of nations, and on the other they appealed to the hope of a future which might be ruled by justice and good will. The creation of the League gave rise to new relationships, to new influences, to greater co-operation and to new problems of international coordination. It is with their effect in the Latin American republics that the present study is concerned. The relations which the nations forming the Pan American regional grouping have with the world institution are of considerable importance, for it is generally recognized that the republics of Latin America enjoy a very different international status than they did two decades ago.

With the quickening of consciousness following the Great War, there developed as a natural corollary an appreciation of the advantage of closer relations between the various republics, and a more profound realization of what is referred to as American solidarity. Just as the preoccupations of Europe during the Napoleonic war had enabled Latin America to achieve political independence, so did the Great War give the Latin American republics their first real appreciation of their capacity for self-development and regional cooperation.

The League of Nations, as an international entity, is exercising to-day a great moral and material force. It is a going institution and the most elementary logic "advises us to utilize it when its objects coincide with the purposes of America."[1] However, countries representing approximately half of the total population and territory of America have ceased to cooperate fully with the Geneva institution, while the largest, Brazil, definitely severed its connection on June 12, 1928. In the Caribbean area, Costa Rica has withdrawn, while Mexico has never ratified the Covenant. Thus, countries representing approximately half of the

[1] Brum, Baltasar, *Anteproject of Statutes for the Association of American Countries* (Montevideo, 1923).

total area and total population of Latin America are not members.[1]

Reasons for changes of attitude toward the League of Nations are given careful consideration in this study, and an attempt is made to evaluate the importance which the League plays in the relations of the several Latin American nations. The study considers in detail the reasons and the circumstances of entrance, the type and extent of the participation of the several Governments in the League organizations, and the nature and kind of cooperation which each nation has accorded the numerous activities of the League. Understanding by the reader of the structure of the League itself is assumed in the narrative. The subject is one so dependent for its elucidation on detail that a study of this kind can not adequately treat of every recorded action. However, consideration of the participation of these states at Geneva should exhibit both their own international attitude and their contribution to the League's work.

In the following pages light will be thrown upon many questions, among which are the following:

Reasons which prompted the Latin American republics to enter the League of Nations.

What do they get or expect from their membership in the Geneva institution?

Why are five nations representing 65% of the total area and 60% of the population of Latin America not Members of the League or uncertain in their relationship to it?

Is there a community of interests among those nations which are Members of the League or those which are outside?

Is there a basis which insures participation by South America as a continent?

[1] Costa Rica and Mexico in the Caribbean group have 2,013,000 sq. km. out of 2,791,000 and 15,493,000 population out of 31,690,000. In South America, Brazil and Ecuador occupy 8,818,000 out of 18,917,000 sq. km. of area and possess 39,970,000 out of 78,688,000 of population (*International Statistical Year-Book*, 1928, p. 14, 15).

In grand total, 10,841,000 sq. km. out of 21,708,000 are occupied by non-Members and 55,463,000 out of 110,378,000 of population. Argentina, which is a Member of the League at Geneva and in a state of flux on the matter at Buenos Aires, would bring these totals up to 13,638,000 for area and 66,110,000 for population.

Do Latin American republics want American problems settled at Geneva?

There can be no more positive aim in the modern world than the establishment of peace on firmer international foundations. The universal desire and hope for the dawn of a new era was doubtless intensified by the great sacrifices made by the nations during the Great War. All of these desires can not be realized in a day, but can be brought about only by a gradual process of evolution. The direction of international life along the path of justice and order has taken on a new and greater importance. The nations have turned with a renewed conviction to the efficacy of international organization for bringing about the maintenance of peace and the insurance of the common interests of all. International organization has become a vital part of the political and economic life of the world and with it has developed a keener sense of the oneness of humanity and the interdependence of nations. The establishment of the League of Nations carried international organization to a new stage. It gave opportunity for new relationships, new influences, greater cooperation, and new problems of orientation and coordination.

Few nations have experienced a more profound change during the past few years than those of Latin America. Their economic position has taken on a greater importance, their international status has been improved, and their sense of their own importance and potentialities has been greatly enhanced.

A sense of common interests, common problems and common ideals among the American nations has been an important feature of their membership in the League of Nations. This solidarity has been manifested at various League meetings by concerted action. Unofficial meetings of American delegates to the League have often taken place for the purpose of discussing the interests of America and of formulating policies best suited to serve their needs. Solidarity among the South American republics is, therefore, an influence in their relations with the Geneva organ-

ization. The Director of the International Labor Office in his report for 1927 indicated that it was disturbed at the action which the American nations were taking in regard to the codification of American international labor laws. "The representatives of South America," he said, "have always manifested in the International Labor Organization such a sense of international solidarity that it is not considered an indiscretion here to appeal to the wisdom of their statesmen to secure the necessary amendments to the original draft," of the American Institute of International Law.[1]

Latin American delegates at Geneva have been active and in accord regarding: Proposals to place the League more in harmony with their theory of "equality of states,"[2] the demand for reallocation of the budget in their favor, greater representation for America on the Council, questions of administrative organization, promotion of intellectual cooperation, and the advancement of humanitarian enterprises. There has also been a general consensus that purely American problems could be considered and dealt with in America. A common attitude has been taken toward the development of different types of liaison between America and the League.

They have interested themselves in the settlement of European questions as they came before the Assembly or Council, but have not found it necessary to bring their own disputes before those bodies. Much of their own treaty structure is negotiated under the auspices of the Pan American conferences.[3] Problems of health are largely considered through the Pan American Sanitary Bureau, which cooperates with the Health Section of the League. Labor information from America is secured through the Pan American Union as well as directly from

[1] International Labor Conference, *Tenth Session*, 1927, Vol. II, p. 9.

[2] See Francisco J. Urrutia's remarks, *infra*, p. 111.

[3] Latin American states have repeatedly referred to inter-American cooperation at League meetings. They have pointed with pride to their regional action, and their discussion of disarmament, intellectual cooperation, arbitration, codification of international law, sanitation, municipal affairs and a number of others is always linked with what has already been done in America.

the states. Problems of finance, commerce, uniform legislation, child welfare, municipal organization, consular procedure, etc., etc., are mostly considered in the International Conferences of American States or in special inter-American conferences. With such possibilities for regional agreement in being, Latin America naturally looks at the League in its broader and more general aspects.

It can be said that idealism and considerations of prestige played a relatively larger part in acceptance of the League by the American republics than was true of most other countries. It can scarcely be said that vital necessity was the chief reason for the entrance of any Latin American nation. The absence of important interests explains very largely the inconstancy of the cooperation by many Latin American nations. One could hardly imagine Belgium or Poland withdrawing from the League because its program was not accepted. Only nations which have few vital interests at stake in the League could adopt such a policy as that pursued by Argentina and Brazil. Peru and Bolivia were not seriously affected by their inactivity in the League. This would probably not be true of Austria, Yugoslavia, France, China, Persia or the South African Unions. Spain reconsidered its withdrawal and returned; not so with Brazil.

The South American Governments are, therefore, more or less free to cooperate with the League or not. Argentina has not been fully cooperating since 1920, nor Peru between 1921 and 1929. The individual interests of a nation often outweigh considerations of idealism, prestige and cooperation. Thus opportunism may dictate policy. Inconstancy may likely continue to characterize the cooperation of many Latin American republics, while consistency of participation will probably characterize the policy of certain others.

There has been no common understanding among the republics which has withheld their full cooperation. Argentina considered that the League should be universal.

Brazil withdrew because it did not obtain a permanent seat on the Council, but its claim was opposed by most of the other American republics as it would have set up a distinction between large and small nations in Latin America and would probably have prevented Argentina from ever returning. Peru and Bolivia ceased to participate in the League's activities because it did not consider the Tacna-Arica problem. Costa Rica withdrew over questions of finance. The Latin American nations feel that they can profit by the studies and investigations of the League, and they freely sign conventions made under its auspices even if they do not complete the agreement by ratification. Although they will probably not have much occasion to bring purely American problems before the League, they feel that there is a moral obligation to assist in the effort toward the organization of the world for the maintenance of peace. They consider the League as an agency for the promotion of better relations between nations and they feel that it should, therefore, be fostered. In the League they saw a hope and a possibility for better understanding. As parts of the world family, their membership is not only a question of benefits to be derived but of living up to the responsibilities incident to community life.

One service which the Latin American countries has rendered to the League is to restrict the "European tendency" and aid in maintaining its character as a world institution. The reorganization of the nonpermanent seats on the Council by the Seventh Assembly and the granting of three of them to America is an example.

Although in general the average citizen in the Latin American countries has little more than an academic interest in the League, it is reasonable to suppose that as its work becomes more universal in the technical and humanitarian fields, there will be a corresponding expansion of interest among Latin Americans as a whole in its activities. The League will increase in strength and significance among Latin Americans just so far as the

conviction spreads among them that it is an advantageous and useful instrument.

The Latin American republics are not especially interested in European problems, but are indirectly interested in the way they are decided. They will probably continue to cooperate with the League in matters of world interest and to pursue a continental policy in matters of general American concern. International organization, then, is not at stake, but rather the form which that cooperation may take.

The American republics get a theoretical protection from the League which might some time be translated into practice. Membership gives prestige by placing their delegates with the delegates of the leading states. If the necessity should arise, the League might be used as a possible counterpoise against the preponderant influence of the United States in the Western Hemisphere.

There is no inherent difficulty, however, in two American nations agreeing to submit a dispute either to a non-American or to a group of non-Americans or to a selected group such as the Council of the League of Nations. South American nations have chosen Europeans to act as arbiters on different occasions, and there could be no cause for objection if it should be done again. These nations, however, prefer to settle their problems themselves or with the aid of their neighbors, but they could offer no serious objection if disputants among them should choose to follow another course. The engagements of the Covenant bind them of their own volition, and the Bolivia-Paraguay dispute shows that there is a sensibility of the obligation.

There is no inconsistency between the Pan American organization and the world organization at Geneva. Especially do they supplement each other along lines of health, education, labor, social welfare, etc. Cooperation between the two organizations would be of benefit to each, and there is little reason why they should not functionally supplement and assist each other in technical, social, intellectual, humanitarian and scientific fields. Any aid in the

solution of such problems should be welcome, and elimination of duplication of effort should be encouraged. Special conditions in one part of the world frequently allow a solution of a problem different from that which could be applied to the world in general. Such solutions on a regional basis should be fostered. If such efforts prove successful in a particular section, the experience obtained in that limited field may prove of importance in devising a solution on a world scale.

The two organizations cooperate in some respects, and there is small reason why such cooperation should not be developed along other lines. The League and the Pan American Union have practically the same purposes but are built upon entirely different bases. The one is the product of years of evolution and is a loosely formed organization, still without effective treaty basis; the other is the result of a conscious effort to establish an international structure, founded upon enunciated principles and undertakings accepted by the Member states. The American organization is more supple and flexible but is more restricted and limited in the scope of its work than the League.

Does not a hopeful opportunity lie ahead for the establishment of a regular and efficient liaison between the League of Nations and the Pan American Union? Organized cooperation between them may well offer an avenue for a wholesome development in international organization, reinforcing the moral bond between those nations which are working toward common ideals of universal justice and fraternity.

II. ENTRANCE INTO THE LEAGUE OF NATIONS

1. General Influences

A CONSIDERATION of the entrance of the Latin American nations into the international organization at Geneva must deal with (1) the reasons for accepting membership, (2) the factors leading up to such admission, and (3) the method of acquiring membership. Certain general influences affected the attitude of the Latin Americans as a whole.

The idea of a League of Nations received the general approval of the Governments of the Latin American countries, and the prompt action of most of their legislatures in approving the original Covenant gave proof that the idea struck a responsive chord throughout South and Central America. Although the countries had not been united in regard to the world conflict they found themselves, with a single exception, in full accord with the effort "to promote international cooperation and to achieve international peace and security."

Nine of the Latin American nations — Bolivia, Brazil, Cuba, Guatemala, Haiti, Honduras, Panama, Peru and Uruguay — became original Members of the League of Nations by virtue of ratification of the treaty of Versailles. Six others — Argentina, Chile, Colombia, Paraguay, Salvador and Venezuela — became original Members by acceding to the Covenant as a separate document within two months of its coming into force. Nicaragua later ratified, and the Dominican Republic and Costa Rica were admitted to membership in 1920 and 1924, respectively. Ecuador and Mexico have never become members.

One of their most important incentives was tradition, which has always played a prominent rôle with them. Arbitration, cooperation and judicial settlement of disputes have been the three watch-words of the American republics

in their international relations. It was therefore natural that they should accept the Covenant as the most advanced step yet taken to give these principles universal application. They had advocated these principles and urged the acceptance of obligatory arbitration at the Second Hague Peace Conference. In the League they saw a step in advance. The promotion of international cooperation and the achievement of peace and security by the acceptance of obligations not to resort to war; by the prescription of open, just and honorable relations between nations; and by the maintenance of justice and a scrupulous respect for all treaty obligations, seemed to most Latin Americans the adoption for the world of the very principles which they had acclaimed since their independence.[1] Their traditional policy was to be accepted by the nations of the world in the League Covenant.

Another factor which influenced the American republics was that of continental solidarity. The World War had altered their position in the family of nations, and their increased realization of interdependence led to renewed faith in their traditional scheme for international cooperation. Although they had not acted in unison in regard to the war, yet there developed during the conflict an increased sense of American continentalism, which became a dynamic force in the international relations of the Western Hemisphere. Practically all of the 13 republics which took action favorable to the United States and the allies referred to "traditional friendship", "American solidarity" or "continental solidarity." The spontaneity with which most of these American Governments joined the ranks after the United States entered the conflict is explained by this influence. Its degree varied in the different countries, yet it can be said that the idea of continentalism was important in at least ten of the Latin American Republics.

Although continental solidarity had not brought concerted action in regard to the war, it was a decided factor

[1] Alvarez, Alejandro, *Le Droit international américain* (Paris, 1910); Urrutia, Francisco, *La Evolucion del principio del arbitraje en América* (Madrid, 1920); Moore, John Bassett, *The Principles of American Diplomacy* (New York, 1918).

in bringing about an almost unanimous acceptance of the program for world peace. The relative importance of the ideas of united action, of interdependence, and of cooperation varied, of course, in the different countries, being stronger in Brazil, Bolivia, Peru, Uruguay and most of the Central American Republics. This will be considered in detail a little later.

Another factor which influenced the Latin American nations to accept the League was that intangible thing which we call prestige. Although difficult to define and susceptible of varying interpretations, it is an important consideration in the affairs of states. The war brought a new sense of their potentialities to Latin Americans. The war had not only led them to realize their own importance in the world economic scheme but it also impressed upon Europeans the economic and other possibilities of the countries of that hemisphere. The vital importance of Argentine wheat, of Brazilian manganese, of Chilean nitrates, was forcefully brought home to a number of the countries of Europe during the great struggle. The American republics were no longer on the margin of international affairs. They emerged from the war period with their authority and prestige greatly enhanced.

The opportunity was given them to participate on the basis of equality with the most powerful nations of the world in the new experiment of international organization. The delegates of Paraguay and Nicaragua could be represented in the Assembly of the League on a basis of equality with those of the British Empire. This was a situation which had never before been possible outside the Western Hemisphere and the Latin American was not one to overlook the opportunity. The delegates of small states have proved on many occasions to be extremely able negotiators in connection with the work of the League.[1]

It was obvious that representation of one of those countries on the Council of the League, or the election of a

[1] Such men as J. Gustavo Guerrero of Salvador and Francisco José Urrutia of Colombia, Enrique Villegas of Chile, Alberto Guani of Uruguay, and Aristides de Aguero y Bethancourt of Cuba may be mentioned.

national as president of the Assembly, would attract the attention of the world. This factor of prestige undoubtedly played a part in the determination of their policies toward the League and has unquestionably influenced participation during the years which have elapsed since its inauguration. What chance would a delegate from Uruguay or one from Salvador have had to sit in the executive organ of any world institution under the international system outside the American hemisphere prior to 1920? Where had the smaller nations ever been given a forum in which they might voice their grievances? When had the smaller nations ever been given a real voice and responsibility in the problems affecting the peace of the world? A new hope was given to these countries in the League of Nations and it was but natural that they should align themselves in the advancement of this idea.

Another factor was the sympathy of the intelligentsia toward Europe, and especially toward France. The culture, the art and the literature of Latin America are closely allied with those of France. French is spoken by all educated Latin Americans. French textbooks are used extensively in the college, while students who go to Europe usually make France their second homeland. The admiration and affection for that country are almost traditional in practically all of the Latin American Republics. The French way of doing things, the fondness for graceful and rhetorical expression, the gaiety of the French spirit and the artistic temperament, all appeal to the sensitive Latin Americans.

A further factor which influenced several Republics of Latin America to enter the League was the possible protection which it might afford. The guaranty of territorial integrity and the existing political independence against external aggression as promised in the League Covenant were acclaimed by Latin America. There is no doubt that those who feared the United States saw in the League a possible protection against encroachments by the North American republic. The League of Nations afforded to the Latin Americans a hope of a possible counterpoise

against the predominant influence of the United States. Although most of the republics are opposed to the consideration of purely American affairs by the League of Nations, yet it gives them a possible weapon which might be used in case of emergency. In other words, the League serves as a card which a Latin American republic might play in case of necessity. They heartily approved the right which each Member has under Art. 11 of the Covenant to bring to the attention of the Assembly or of the Council any circumstances whatever affecting international relations which threaten to disturb international peace. This was soon translated into practice when they witnessed a delegate from a small state, Bellegarde of Haiti, bring a member of the British Empire (the Union of South Africa) to account regarding its treatment of the natives in South West Africa. Would this not serve as the basis of a hope among certain American Republics in regard to their relationships with any major power?

Another factor which influenced the Latin American republics to accept the League of Nations was idealism. The addresses of President Wilson strongly appealed to the Latin Americans and they responded to their conception of a world organized upon the basis of peace, justice and self-determination. Their fervent desire to collaborate in the organization of world peace was undoubtedly a strong moral influence in prompting their cooperation with the League of Nations, for they saw in it a guaranty for the future of international relations and the promotion of peace. It was with pride and satisfaction that they accepted the invitation to participate in such an enterprise. They were prepared to accept their new international obligations and responsibilities and acquiesce in the new international order and they have since been partisans of all efforts to give the Geneva institution greater scope.

They saw in it a step toward the establishment of a rule of law among nations. The conception of an international law binding upon the governments of the world was an idea which naturally appealed to the idealism of the

Latin American. That aspiration for a world more enlightened, — a world in which the cooperation of men and nations rather than the rivalry and the aggrandizement of one at the expense of another should be the guiding aim, — was to them worthy of support. They felt that a League to establish the normality of peaceful relations in international life was certainly an undertaking worthy of the approval of all. It would serve to create an atmosphere of confidence and fraternity which would tend to prevent wars by modifying the state of mind of peoples and governments. They considered that the attention of men of good will should be directed to the promotion of that international atmosphere in which reciprocal confidence should prevail in the development of activities for the common welfare. The League was looked upon as a tranquilizing influence which might create a spirit of tolerance, confidence and respect, looking to the future well-being of humanity. They accepted the League in a spirit of loyal cooperation as an effort to avoid the appeal to arms by the nations of the world. They considered the League as an institution capable of intervening in the conduct of nations by focusing public opinion and in this way bringing a greater moral force to bear upon a particular situation than was possible under the old system. Thus the enthusiasm manifested by the Latin American countries toward the League of Nations was due in part to the fact that its principles were entirely in accord with the idealistic traditions of Latin America.

2. Attitude in the Great War

The entrance of the Latin American countries into the League of Nations was also conditional upon certain special factors. The most important of these were connected with their respective policies in regard to the Great War. The attitude of the Latin American Governments toward that conflict is important because of: (1) the resulting development of the sentiment for world

interdependence and cooperation, and (2) the Covenant of the League of Nations, as an outgrowth of the peace settlement, was made an integral part of the peace treaty.

During the early days of the war the Latin American Governments remained neutral and concerned themselves with safeguarding their position. Some made efforts to secure the adoption of a continental policy of neutrality, but these attempts failed to lead to any practical results. When the United States severed diplomatic relations with Germany on February 3, 1917, a new situation arose and many of the Latin American Governments, sensible of a continental solidarity, followed its lead. Thirteen of the 20 republics officially demonstrated their solidarity either by declaring war or by severing diplomatic relations with Germany.[1] Brazil, the largest Latin American nation, Cuba, Costa Rica, Guatemala, Haiti, Honduras, Nicaragua and Panama entered the war on the side of the allies; Bolivia, Ecuador, Dominican Republic, Peru and Uruguay broke off diplomatic relations with Germany. Argentina, Chile, Colombia, Mexico, Paraguay, Salvador and Venezuela remained neutral throughout.

The attitude of the various Latin American Governments in regard to the Great War, although possessing a surprising degree of similarity, was by no means uniform. It differed both in degree and importance in the different states.

A. South American Republics

Brazil

Of the South American nations, Brazil played the most important part in the war. Animated by a spirit of continental solidarity, with its neutral rights violated and its interests jeopardized, Brazil joined the *United States and the Allies* and became the foremost of the belligerent Latin American nations.

[1] An excellent treatment of the policies of the Latin American countries is found in *Latin America and the War* by Percy Alvin Martin (Baltimore, 1925). The decrees of neutrality and severances of relations are printed in Naval War College, *International Law Topics*, 1916, and *International Law Documents*, 1917 and 1918.

It was rather difficult to envisage at the beginning of the Great War what might be the attitude of Brazil. The large number of German colonists in Southern Brazil, estimated at anywhere from 350,000 to 500,000, might have been expected to exert considerable pro-German influence. The Government and people, however, soon gave clear indications that their sympathies were overwhelmingly on the side of the Allies. Within a week after the outbreak of the War, the Brazilian Chamber of Deputies passed a motion recording its opposition to the violation of treaties and to acts violating the established principles of international law. Less than a year later (March, 1915), the Brazilian League for the Allies was founded under the presidency of the eminent statesman, Ruy Barbosa. Its activities included educational conferences, petitions of protest against Germany's war methods, and the raising of funds for the Brazilian Red Cross.

It was at a meeting of this organization to raise funds for the establishment of a Brazilian hospital in Paris that President Ruy Barbosa expressed regret that the United States had not seized the opportunity to assure itself first place among the nations by grouping about itself all the peoples of the American continent as a protest against the invasion of Belgium and by entering the struggle to defend the validity of international engagements.[1] Brazil followed with keen interest the relations between the United States and the belligerents.

The economic crisis which followed the opening of hostilities had a profound effect upon its attitude. Brazil was hard hit by interference with the sale of its agricultural exports. The British blockade cut off its market in Central Europe (Germany being in 1913 second in imports and exports of Brazil), while the submarine warfare carried on by the Central Powers threatened its remaining European markets. Thus Brazil found its trade and commerce threatened with paralysis. Its merchant marine was endangered. Its finances were thrown into disorder and

[1] Gaston, Gaillard, *Amérique latine et Europe occidentale* (Paris, 1918), p. 44.

the treasury's chief source of revenue was materially cut off, since a good percentage of public revenues was secured from customs duties. The development of Brazil into an important exporter of staple foodstuffs demonstrated that the country could be self-sufficient and could even enter the world market. Confidence and self-reliance were thus engendered in the country's economic position.

Following the outbreak of the war, the policies of the United States and Brazil toward the belligerents paralleled each other to a marked degree. An extraordinary degree of patience and forbearance characterized Brazilian action under trying conditions. The Government insisted upon and maintained respect for neutral rights. On May 1, 1915, the Brazilian steamship *Rio Branco* was seized and sunk by a German submarine off the coast of England. This aroused deep indignation and called forth a strong protest from the Brazilian Foreign Office. An apology with promise of payment by Germany eased the situation.

Portugal, Brazil's mother country, entered the war in 1916 and this aided in crystallizing sentiment in favor of the Allies.

In July, 1916, Ruy Barbosa went to Buenos Aires as special ambassador to the centenary of Argentina's independence. In the course of his speech he outlined his country's position in the European conflagration in the following uncompromising manner: "No nation can be a law unto itself. None can be an indifferent spectator in this world tragedy. Neutrality entails obligations. Between those who destroy law and those who uphold it, neutrality is not permissible. Neutrality does not mean attempting the impossible: it means impartiality, and there can be no impartiality between right and justice on the one hand and crime on the other. To demand the observance of those precepts on which the conscience of nations reposes, to demand respect for treaties, is not to break neutrality but to respect it." [1] This was approved by the Brazilian Congress on July 17 when both branches

[1] *Jornal do' Commercio*, July 18, 1916.

voted by a large majority that the speech be published and made a part of their proceedings. Senhor Pedro Moacyr in presenting the motion in the lower house said: "It is absolutely necessary that we align ourselves with the forces of civilization, menaced with destruction." This declaration of sympathy called forth expressions of deep gratitude from France and Belgium.

On the other hand, the work of German agents in Brazil, the failure of Germany to settle for large quantities of coffee stored in Hamburg, and finally, the declaration of unrestricted submarine warfare brought relations to the breaking point. In its reply to the German declaration the Brazilian Government felt that, "it is its duty to protest against this blockade, as in fact it does protest, and, therefore, it leaves to the Imperial German Government the responsibility for all events which may happen to Brazilian citizens, merchandise or ships as a result of the abandonment of the principles recognized by international law or by conventions to which Brazil and Germany are parties."[1]

On April 5, 1917, the Brazilian steamer *Parana* was sunk off the coast of France by a German submarine. The next day the United States declared a state of war with Germany, and on April 11, the Brazilian Government handed Herr von Pauli, the German minister, his passports.[2]

A decree of technical neutrality was issued April 25, 1917, in the war between the United States and Germany.[3] On May 22, President Braz P. Gomes urged Congress to revoke the decree. In his speech he pointed out that "the Brazilian nation, through its legislative organ, can without warlike intentions, but with determination, adopt the attitude that one of the belligerents forms an integral part of the American continent, and that to this belligerent we are bound by a traditional friendship and by a similarity of political opinion in the defense of the vital interests of

[1] Note from Brazilian Minister to German Secretary of State for Foreign Affairs, February 9, 1917, *Brazilian Green Book*, p. 19, authorized English version by Andrew Boyle (London, 1918).

[2] *Ibid.*, p. 30.

[3] *Ibid.*, p. 39.

America and the principles accepted by international law." [1] The decree of neutrality was annulled June 1, 1917. In a circular note of June 2, to all capitals to which the republic was accredited, the policy of continental solidarity was announced, thus giving expression to that cordial relationship which has existed with the United States since the founding of the Republic. The note was a display of friendship toward the great northern Republic which "has been the axis of Brazil's continental policies since imperial times," [2] and said: [3]

> The republic has thus recognized that one of the belligerents is an integral part of the American continent, and that we are bound to this belligerent by a traditional friendship and by a similarity of political opinion in the defense of the vital interests of America and the principles accepted by international law.
>
> Brazil never had, and still has not, warlike ambitions, and if she always abstained from any partiality in the European conflict, she could not remain indifferent to it, when the United States were drawn into the struggle without any interest therein but in the name alone of respect for international law, and when Germany extended indiscriminately to ourselves and other neutrals the most violent acts of war.
>
> If hitherto the relative lack of reciprocity on the part of the American republics has withdrawn from the Monroe doctrine its true character, permitting a scarcely well-founded interpretation of the prerogatives of their sovereignty, the present events, by placing Brazil, even now, at the side of the United States, in the critical moment of the world's history, continue to give our foreign policy a practical form of continental solidarity — a policy indeed which was that of the old régime on every occasion on which any of the other friendly sister nations of the American continent were in jeopardy.

The final break came on October 26, 1917, when a resolution recognizing a state of war with Germany was passed

[1] Note from Brazilian Minister to German Secretary of State for Foreign Affairs, February 9, 1917, *Brazilian Green Book*, p. 40, authorized English version by Andrew Boyle (London, 1918).

[2] *Monroe Doctrine Centenary* (Rio de Janeiro, 1924).

[3] *Brazilian Green Book*, p. 48–49.

unanimously by the Senate and with only one dissenting vote in the Lower House. Thus Brazil took the lead among the Latin American countries in declaring war on Germany, following the example of the United States; the act was of importance in demonstrating a solidarity between the two largest countries in America. In this it broke away from the A B C combination and placed itself in a position as political leader in South America, affiliated with the United States of North America.

Uruguay

From the very outbreak of the war, the sympathies of Uruguay were for the Allied cause. The Uruguayans are a homogeneous people, almost entirely of European origin. Its economic life has been closely associated with the British interests while cultural and intellectual life has been closely affiliated with that of France. The people sympathized with the cause of France and Italy, while the heroism of Belgium evoked the greatest admiration. Uruguay, however, did not become involved in any diplomatic controversies with the belligerents. During this difficult period, Uruguay was fortunate in having as its Minister of Foreign Affairs, Dr. Baltasar Brum, one of the most eminent and capable statesmen of South America.

The Government issued its decrees of neutrality August 4, 1914.[1] A few days later rules of neutrality were issued which would be enforced in the ports and territorial waters of the country.[2] These rules were modified by later decrees.

The reply of Dr. Brum, minister of foreign affairs, to the notification by Germany of unrestricted submarine warfare is a classic of ability and tact. "The Uruguayan Government," he said, "feels it incumbent to point out to the German Government that it can not admit for its nationals, for its commerce and its ships, the restrictions which are

[1] Republica Oriental del Uruguay, Ministerio de Relaciones Exteriores, *Disposiciones sobre Neutralidad (1914–1915)* (Montevideo, 1915).

[2] *Ibid.*, p. 7–11.

imposed upon it by the indefinite zone of blockade and the methods of the submarine campaign.

"It still ventures to hope that the Imperial Government will confine its action within the limits of law, respecting those principles of humanity and justice so frequently sustained by its leading thinkers, principles which constitute the basis of the friendly relations which our two countries have cultivated without alteration; none the less, in spite of this hope, it reserves to itself the right — which the great German internationalist characterized as 'indisputable' — to employ the proper measures against procedures contrary to international usages, as well as against the arbitrary excesses with which it is threatened."[1]

Uruguay on February 6, in its reply to the announcement by the United States of the severance of diplomatic relations with Germany said "the Uruguayan Government, which on a previous occasion gave its adhesion to the efforts made by the United States in defense of the rights and interests of neutrals, recognizes the justice and nobility of the sentiments which in this emergency have guided President Wilson."[2] It maintained its neutrality, however, but extended moral sympathy to the United States,[3] the Chamber of Deputies passing on April 12, 1917, the following motion by a large majority: "The Chamber of Deputies of Uruguay sends a fraternal greeting to the representatives of the American people who, as paladins of right and justice, . . . are embarking upon the terrible struggle which casts its shadow over the whole world."[4]

The doctrine of American solidarity was championed by many prominent Uruguayans, among whom was the distinguished writer and scholar, Dr. Juan Zorilla de San Martin.[5] The adherence of Brazil, June 1, 1917, to the doctrine of continentalism led the Uruguayan foreign office

[1] *Memoria de Relaciones Exteriores* (Montevideo, 1916–1918), p. 414–419.

[2] *Ibid.*, p. 421.

[3] *Ibid.*, p. 432.

[4] Republica Oriental del Uruguay, *Diario de las Sesiones de la Camara de Representates*, Vol. 253, p. 450 (Montevideo, 1917).

[5] *El Siglo*, Montevideo, June 16, 1917.

to send the remarkable note of June 13, 1917, in which Dr. Brum urged that a congress of the American states formulate a united moral front against Germany. He said:[1]

The Uruguayan Government, after examining Your Excellency's note, takes pleasure in stating that it sympathizes with the ideals to which the said communication refers, and reiterates once more its urgent desire that the policy of America through a congress of all its peoples, should give expression once and for all in judicial formulas or practical actions to the fertile aspirations of continental solidarity.

United as are the nations of the New World by the eternal bonds of democracy and by the same notions of justice and liberty, the logic of principles and interests, the better to insure the efficacy of the former and the free development of the latter, should of necessity make, in view of the events which are affecting the world to-day, for a close unity of action, in such a way that every act perpetrated against one of the countries of America with violation of the principles universally recognized by international law, should constitute an aggression to all and call for a united resistance from them.

The famous decree of June 18, 1917, proclaiming the doctrine of American solidarity received hearty approval from many of the American republics, and was as follows:[2]

Considering that in various communications the Government of Uruguay has proclaimed the principle of American solidarity as the criterion of its international policy, understanding that the grievance against the rights of one country of the continent should be considered as a grievance by all and provoke them to uniform and common reaction;

Second, that in the hope of seeing an agreement in this respect realized between the nations of America which may make the practical and efficient application of such ideals possible, the Government has adopted a watchful attitude with reference to its action, although it has signified in each case its sympathy with

[1] *Brazilian Green Book*, p. 56.

[2] Naval War College, *International Law Documents*, 1917, p. 249; Baltazar Brum, *The Peace of America*, p. 25–26 (Montevideo, Imp. nacional, 1923); in Spanish, *Memoria de Relaciones Exteriores*, 1916–1918, p. 439–440.

the continental nations which have seen themselves obliged to abandon their neutrality;

Considering that, as long as such an agreement is not made, Uruguay, without acting contrary to its sentiments and convictions, could not treat the American nations which in defense of their own rights find themselves compromised in an intercontinental war, as belligerents; and

Considering that this criterion is shared by the Honorable Senate,

The President of the Republic

At a general cabinet meeting

Decrees:

First. To order that no American country which in defense of its own rights should find itself in a state of war with nations of other continents will be treated as belligerents.

Second. That it is ordered that existing decrees which may be in opposition to this resolution are to remain without fulfillment.

Third. Let it be communicated, published, etc.

Although Uruguay revoked its neutrality in favor of the United States, it did not break off diplomatic relations with Germany until three months later. This was probably due to hope for a concerted action regarding a rupture of diplomatic relations. President Viera pointed out before the Uruguayan Congress on February 15, 1918, that, "if the principle of continental solidarity were accepted by the various American states and efforts were made to put it into effect, Uruguay would proceed to a rupture of relations and even to war."[1]

On July 12, 1917, an opportunity was afforded to testify Uruguay's friendship for the United States when the American fleet, under Rear-Admiral Caperton, arrived at Montevideo. Although still neutral, the rules regarding the length of sojourn of belligerent vessles were waived.

Uruguay could not safely break with the central powers as long as neither of its two neighbors had entered definitely into the conflict. The strong German colony in Rio Grande do Sul just north of Uruguay was a source of uneasiness. Uncertainty regarding the attitude of Argentina was a

[1] *Memoria de Relaciones Exteriores, 1916–1918*, p. xxii.

cause of anxiety, and President Viera inquired of President Irigoyen as to whether Uruguay could count on the support of Argentina in case of an attack by the German colonies.[1]

In a message to the Legislative Assembly President Viera requested the severance of diplomatic and commercial relations with Germany. He said in part: ". . . The republic adopts a measure of such transcendental import without having any particular grievance to vindicate, without any direct offense of which she may complain. Her action, superior and calm, is based solely on the principle of high solidarity with the defenders of right and justice, who are at the same time the stalwart defenders of the sovereignty of the small nations, the self-sacrificing champions of world democracy."[2] On October 7, 1917, diplomatic and commercial relations were severed between the Republic of Uruguay and the German Empire.[3] German ships in the harbor of Montevideo were taken over and were leased to the Emergency Fleet Corporation of the United States.[4]

Uruguay, then, translated the nebulous doctrine of continental solidarity into a national policy. As a protest against German violation of international law it abandoned neutrality without national interests being directly jeopardized. Its statesmen recognized obligations of American cooperation and proceeded to direct their efforts toward the promotion and development of a united continent in behalf of the principle of American solidarity.

Peru

Continental solidarity continued to be one of the most important principles of the foreign policy of Peru in regard to the European War. Peru had been the chief promoter during the 19th century of the early inter-American con-

[1] *Memoria de Relaciones Exteriores, 1916–1918*, p. xxix.

[2] *Ibid.*, p. 526–527.

[3] *Ibid.*, p. 529–530.

[4] *Diario de Sesiones de la H. Camara de Senadores*, Vol. 112, p. 44 *ff.*

ferences and has steadfastly championed the cause of a united America. The relations between Peru and the United States have been characterized by friendship and good will and it was therefore natural that Peru should be found on the side of the United States in the world struggle.

Peru proposed in August, 1914, that the American republics define the rights of neutrals and adopt a common policy toward the war. Similar proposals from other sources were considered by the Governing Board of the Pan American Union. A commission was appointed to study the problem but to no result.

In its reply of February 9, 1917, to Germany's announcement of unrestricted submarine warfare, Peru denied Germany's claim "because the Peruvian Government considers it opposed to international law and the legal rights of neutrals. The recent odious case of the *Lorton* which resulted in a claim by my Government, proves the error and injustice of the submarine campaign, now generalized in an unacceptable form by the closure of enormous zones of free seas, with serious danger to the lives and interests of neutral countries."[1]

The Peruvian reply of June 28, 1917, to the Uruguayan decree of June 18 declared in favor of the principle of American solidarity and accepted it as the key-note of its international policy.[2] President Prado in his message to the Peruvian Congress July 28, 1917, announced the adherence of Peru to the principles of justice and right set forth in President Wilson's message to Congress of April 2. He approved the attitude which the Governments of Brazil, Cuba, Bolivia, Panama and Uruguay had taken in regard to the war.[3] The Senate declared on September 8, 1917, that "the international policy of Peru should derive its inspiration from the principle of solidarity of

[1] de Lavalle, Juan Bautista, *El Peru y la Gran Guerra* (Lima, 1919), p. 14.

[2] Republica Oriental del Uruguay, *Memoria del Ministerio de Relaciones Exteriores*, 1916–1918, p. 466–467.

[3] Lavalle, *op. cit.*, p. 15–18; Naval War College, *International Law Documents*, 1917, p. 197.

the peoples of the continent with the United States in harmony with the ideals of international justice proclaimed by President Wilson."[1]

The failure of Germany to grant satisfactory reparation for the sinking of the *Lorton* on February 5, 1917, together with the idea of continental solidarity, led the Peruvian Congress to pass a resolution on October 5, 1917, by a vote of 105 to 6 to sever diplomatic relations with Germany. Although many were in favor of a declaration of war, the Government never took that step.[2]

A note sent by the minister of foreign affairs to the United States, explaining the causes for the severance of diplomatic relations, said in part:[3] ". . . When the conflagration spread to the American continent, notwithstanding the efforts exerted for nearly three years by the United States to keep that great people out of the conflict, Peru was confronted by new duties springing from its passionate desire for the continental solidarity that has ever been the goal of its foreign policy, and by the necessity of defending its rights from the new form of maritime warfare set up by Germany." The note indicated this as the reason for announcing adherence to the principles proclaimed by President Wilson instead of immediately breaking off diplomatic relations. "It was the Peruvian Government's wish that the policy of the whole continent be a concerted ratification of the attitude of the Washington Government which took up the defense of neutral interests and insisted on the observation of international law. But the course of events did not result in joint action; each country shaped its course in defense of its own invaded rights as it was individually prompted in its adherence to the principles declared by the United States."

[1] Lavalle, *op. cit.*, p. 19.

[2] de Lavalle, Juan Bautista, "The Severance of Diplomatic Relations between Peru and Germany", *American Journal of International Law*, XII, p. 610.

[3] Naval War College, *International Law Documents*, 1917, p. 198; *Boletin del Ministerio de Relaciones Exteriores*, Ano XVI, No. LXI, p. 54.

Bolivia

Being land-locked and possessing no merchant marine, Bolivia did not have its interests endangered by the German submarine campaign. On the other hand, the Bolivian foreign policy revolved about Pan Americanism as one of its poles and this proved to be of sufficient strength to make Bolivia an ardent supporter of united American action in regard to the European conflict.

The Bolivian minister of foreign affairs on February 5, 1917, stated that "the Government of Bolivia considers entirely proper the noble and lofty attitude assumed by the Government of the United States, which is in accord with the rights of neutral countries to safeguard their own interests and those of civilization and humanity. The Government of Bolivia, therefore, frankly indorses the stand taken by the United States."[1]

Bolivia inaugurated a movement to bring about a collective protest against the German submarine campaign. On February 7, 1917, the minister of foreign affairs sent a note to the American Republics in which he said that he thought it was "indispensable to formulate a collective protest on the part of all, or at least of some, of the South American states against the plans of Germany, as communicated officially to the Government at Washington."[2] These efforts did not lead to practical results.

On April 13, 1917, a week after the declaration of war by the United States, the Bolivian Government handed the German minister his passports.[3] Bolivia remained in this relation for the remainder of the conflict and was represented at the Peace Conference.

[1] Republica de Bolivia, *Memoria que presenta el Ministro de Relaciones Exteriores y Culto, Dr. Placito Sanchez al Congreso Ordinario de 1917*, p. 30–31.

[2] Republica del Ecuador, *Informe que el Ministro de Relaciones Exteriores presenta á la nacion*, 1917, p. 251.

[3] *Ibid.*, p. 162–164.

Ecuador

Ecuador, like Bolivia, possessed no merchant marine. Like the other nations on the Pacific, it was removed from the area of hostilities and hence its national interests were not directly imperiled by the war operations.

Ecuador was a partisan of American solidarity and proposed the summoning of a congress of neutrals at Montevideo to consider an "agreement on means for the guaranty of the rights of neutrality and a possible moderation of the rigors of the struggle."[1] No practical results came from this proposal, and on December 7, 1917, Ecuador formally broke diplomatic relations with Germany.[2] In the memorandum to the diplomatic corps the Minister of Foreign Affairs said that "the rupture of relations with Germany signifies that Ecuador, whose doctrine has always been that of American solidarity, is united in heart and thought with her sister Republics of the continent."[3]

Argentina

The remaining South American Governments — Argentina, Chile, Colombia, Paraguay and Venezuela — maintained neutrality throughout the war. It can safely be said that the policy of no South American republic toward the League of Nations was more influenced by its Great War policy than that of Argentina. The attitude of Argentina toward the war was naturally regarded with great interest not only because it was the largest and most influential Spanish speaking country of America but also because of its tremendous economic strength, which was of vital importance to the belligerents. The Government listed itself as a neutral at the beginning of the war, a position maintained throughout the conflict.

[1] Republica del Ecuador, *Informe que el Ministro de Relaciones Exteriores presenta á la nacion*, 1915, p. 249–250.

[2] *Ibid.*, 1918, p. 228–230.

[3] *Ibid.*, p. 230–232.

There were, however, repeated and unquestionable evidences of popular sympathy for the Allies. The two most influential newspapers were strongly pro-Ally. The very large Italian population naturally championed the cause of the motherland. The strong British interests, the result of a century of commercial and financial penetration, were imbedded in the entire economic structure of the country and were, of course, pro-Ally. The intelligentsia was largely linked to France. The war proved to be extremely profitable; Argentine products, — meat, wool, hides and grain, — found a ready market in Europe at high prices.

The entrance of the United States did not have the same effect in Argentina as it had in Brazil. The traditional policy of the country toward the United States had not been as cordial as that of Brazil. The declaration of war by the United States, however, called forth a statement from the Argentine Government to the effect that it recognized "the justice of the decision, founded as it is upon the violation of the principles of neutrality established by the rules of international law, which have been considered definite accomplishments of civilization."[1]

When the *Monte Protegido* was sunk by a German submarine the latter part of the same month, the Government demanded reparation, which the German Government promised. This was followed by the sinking of two more Argentine ships, *Oriana*, June 6, and *Toro*, June 22. Germany promised to pay for the losses and on August 30, 1917, Argentina informed Germany that it considered the affair closed. Upon the publication[2] on September 8, 1917, of the intercepted Luxburg cablegrams by the United States, anti-German riots and attacks upon German houses took place, while the Senate by a vote of 23 to 1 and the Chamber of Deputies by a vote of 53 to 18 favored a severance of diplomatic relations. Luxburg, the German chargé d'af-

[1] Note of April 11, 1917, by Ambassador Naón, to the State Department (Naval War College, *International Law Documents*, 1917, p. 37).

[2] United States, Committee on Public Information, *Official Bulletin*, I, No. 102, p. 1.

faires, was given his passports September 12; but with the disavowal by Berlin of Luxburg's actions, President Irigoyen considered the incident closed.

Luis Maria Drago, former minister of foreign affairs and author of the Drago doctrine, in an article in *La Razón*, April 10, 1917, strongly urged a break. He said:

> Such action was justified by the German notification that it prohibited all ships from crossing a war zone arbitrarily established on a free sea against all conception of international law. The situation is aggravated to-day. The war between Germany and America is a struggle of democracy versus absolutism and no American nation can remain neutral without denying its past and compromising its future. How can Argentina break the bonds of solidarity with its Latin brothers and abandon its traditional policy to remain in an isolation which nothing would justify. We should constitute the material and moral union of this continent for the defense of law and democratic principles in international relations.[1]

It was likewise true that Ambassador Naón and the President differed radically regarding the attitude which Argentina should take. The ambassador favored a break with Germany to uphold the rights of Argentina and supported a policy of Pan Americanism and continental solidarity. He visioned a peace conference at the close of the war which would probably regulate the economic cooperation of the world for the future and pointed out that, if Argentina should remain neutral, it would not be able to participate in such an important conference.

The President did not consider an attack upon one member of the continental bloc as an attack upon all. Before the Chamber of Deputies on September 22, 1917, he urged that each country should decide the issue according to the circumstances in each case. He felt that he, being away from the direct influences of the strife, was better able to view the developments with impartiality than diplomatic representatives in the belligerent countries. Above all, the President was too independently minded to follow

[1] Translated from *La Razón*, Buenos Aires, April 10, 1917.

in the wake of the United States.[1] Irigoyen as a man of definite opinions and of determination, felt that only the national interests of the country should decide the action of his Government. To him war meant active cooperation and not simply a declaration of sympathy. Argentina was a great nation, — the leading Spanish nation in America — and its action should be worthy of that position. The idea of playing an important rôle with Spain at the Peace Conference was fostered. The absorption of energies and resources by entrance into the war would have delayed the carrying out of the social and economic reforms to which the Radical Party had been pledged.

President Irigoyen attempted on two different occasions to convene a conference of neutral Latin American nations. Both efforts failed, Mexico being the only state which received the idea with any degree of enthusiasm. On August 1, the German minister wrote: "The President has at last made up his mind to conclude a secret agreement with Chile and Bolivia regarding a mutual rapprochement for protection *vis-à-vis* North America before the conference idea is taken up again."[2]

Whatever difference of opinion may exist, in the light of facts since revealed, regarding the judgment or the relative weight which the President gave to the various factors, his sincerity in doing what he considered to be the best for his country can scarcely be questioned. He obeyed what he believed to be the dictates of patriotism and sound domestic policy.

Chile

Neutrality during the World War seemed to be the logical policy for Chile. The country was far removed from the center of hostility and its merchant marine was largely engaged in quarters other than the war zone.

[1] On October 1, he was reported as having stated that "Argentina can not be dragged into the war by the United States and the nation must take the place it deserves on the American continent." (*Christian Science Monitor*, October 1, 1917.)

[2] *Latin America and the War*, Percy Alvin Martin, p. 255 (World Peace Foundation, II, No. 4, August, 1919).

Hence its neutral rights were not seriously jeopardized either by the blockade or by the unrestricted submarine campaign. On the other hand, the great demand for Chilean nitrates ushered in a period of unprecedented prosperity. Martin summarizes the situation thus: "To many Chileans neutrality seemed both logical and profitable."[1]

After the United States and Brazil entered the war and after the appeal for continental solidarity by Uruguay, Chile continued to adhere to its policy of neutrality, and preferred this policy to that of American solidarity. It can be said that German propaganda and the strong and influential German colony played an important part in formulating the Chilean policy regarding the war.

Other States

Colombia adopted the policy of neutrality August 13, 1914.[2] The Colombian Government expressed itself in sympathy with the policy of solidarity in its reply of February 28, 1917, to the proposals of Bolivia, Ecuador and Mexico. It suggested that the Ecuadorian, Bolivian and Mexican legations at Washington be authorized to discuss the matter with the representatives of other neutral states and if it should seem feasible, plans should be made for a conference in Uruguay.[3]

Later Colombia abandoned the idea of continental unity. She declined the invitation of Argentina both in respect to a congress in favor of peace and as to a conference of neutrals.[4]

The resentment entertained in Colombia against the United States undoubtedly influenced the attitude of the Government. The treaty of April 6, 1914, had not yet been approved by the Senate of the United States and the bitterness which had been engendered by the severance

[1] *Latin America and the War*, Percy Alvin Martin, p. 256 (World Peace Foundation, II, No. 4, August, 1919).

[2] Republica de Colombia, *Informe del Ministerio de Relaciones Exteriores al Congreso, de 1915*, p. 35; Naval War College, *International Law Topics*, 1916, p. 35.

[3] *Ibid.*, 1917, p. 20.

[4] *Ibid.*, p. 10.

of Panama was still present. The fairly strong German propaganda took advantage of the situation and false rumors so persistently prevailed that United States troops had landed on Colombian territory, that formal demands for an investigation were made by the Colombian minister at Washington.[1]

Paraguay was little affected by the war and, since it was not influenced by continental policies, saw no occasion to take any definite stand in favor of either group of belligerents. However, sympathy was expressed for the principle of American solidarity in replying to the Uruguayan decree.

Venezuela also maintained a policy of neutrality throughout the conflict, although there seemed to be much popular sympathy for the Allies. General Juan Vicente Gomez, however, was still the ruling force in Venezuela and like Irigoyen of Argentina he succeeded in remaining aloof from the conflict. Economically, Venezuela enjoyed relative prosperity and was far from the zone of war activities. In addition, General Gomez has been accused of pro-German leanings similar to those of Carranza in Mexico.

B. Caribbean Republics

Continentalism played a more important part in the formulation of the war policies of the republics of the Caribbean area than of the South American continent. This was largely due to the influence of the United States in this region, which could not but affect the policies of a number of these countries.

Cuba

The attitude of Cuba was the most active, spontaneous and aggressive of any of the Caribbean republics. Its interpretation of the treaty of 1903, considerations of national defense, a sense of international responsibilities and a sentiment of continental solidarity combined in

[1] Republica de Colombia, *Informe del Ministerio de Relaciones Exteriores al Congreso, de* 1917, p. 103–107.

prompting the Cuban Government to enter the conflict after the United States. It might even be said that Cuba was the only Caribbean republic to take anything like an active participation in the war.

Cuba took its stand beside the United States in regard to Germany's submarine policy and severed diplomatic relations with the Imperial German Government.[1] On April 7, 1917, the day after the United States declared war, the Cuban Congress unanimously adopted a joint resolution to the effect that a state of war existed between the republic of Cuba and the German Empire. President Mario G. Menocal in his message to Congress declared that the republic of Cuba could not remain indifferent to the "stupendous violations of international law." And he also said:

> Nor can [the republic of Cuba] by any means decorously remain aloof from the stand nobly and courageously taken by the United States to which we are bound by sacred ties of gratitude and fraternity.[2]

Regarding the influence of the United States upon the policy of Cuba, Mr. Martin has said that "history offers few examples of a more spontaneous manifestation of loyalty and gratitude than that afforded by Cuba voluntarily placing her man power and her material resources at the service of the United States and the Allies in the world struggle."[3] On April 7, 1917, Dr. José Manuel Cortina declared before the Cuban Chamber of Deputies: "We go to fight as brothers beside that great people who have been ever the friends and protectors of Cuba, who aided us during the darkest days of our tragic history, in moments when opposed by enormous strength we had nearly disappeared from the face of the earth, when we had no

[1] *Boletín de Información* publicado por la Comisión nacional cubana de Propaganda por la Guerra y de Auxilio a sus Victimas, June, 1920, p. 496.

[2] *Boletín Oficial de la Secretaria de Estado*, April, 1917, p. 207–211.

[3] Martin, Percy Alvin, *Latin America and the War*, p. 249 (World Peace Foundation, II, No. 4, August, 1919).

other refuge, no other loyal and magnanimous friend than the great North American people."[1] Yet Cuba did not blindly follow the United States, although its example played an important part in the formulation of Cuban policy.

Cuban participation in the war was loyal and generous, although necessarily restricted by a limited capacity. On August 3, 1918, a bill was passed providing for compulsory military service. There was also considerable cooperation with the United States regarding the sending and receiving of troops for military instruction.[2] On August 21, 1917, the Cuban Government turned over to the United States the four German vessels which were interned in Cuban waters.[3] The President was soon authorized to send troops and military missions abroad, although no troops landed in Europe before the armistice. An efficient censorship was established with the cooperation of United States experts. The Cuban Government cooperated very effectively with the United States Food Administration and on October 6, 1917, President Menocal decreed that the export regulations of the United States should apply to all exports of Cuba.

Central America

Five of the six Central American republics, viz., Panama, Guatemala, Honduras, Nicaragua and Costa Rica declared war against Germany shortly after the entrance of the United States into the world conflict. The community of interest between Panama and the United States was officially recognized as early as February 23, 1917, when the National Assembly unanimously adopted a resolution of sympathy with the purposes and ideals of the United States.[4] The resolution noted that Panama was bound to

[1] *Pan American Magazine*, XXVI, No. 1, November, 1917.

[2] *U. S. Official Bulletin*, September 24, 1918, p. 16, col. 1.

[3] *Boletin de Información*, publicado por la Comisión nacional cubana de Propaganda por la Guerra de Auxilio á sus Victimas, I, Numero 1, p. 26.

[4] Republica de Panama, *Memoria que presenta el Secretario de Relaciones Exteriores á la Honorable Asamblea Nacional en sus sesiones ordinarias de 1918*, p. 3.

the United States "not only by common interests, but also by bonds of affection and gratitude, and by the fact that both peoples have been influenced by the same ideals of international justice."

On April 7, 1917, the day following the Washington declaration of war, the President of Panama proclaimed common cause with the United States. The President declared that: "Our indisputable duty in this tremendous hour of history is of a common ally, whose interests and existence as well are linked indissolubly with the United States. As the situation creates dangers for our country, it is the duty of the Panaman people to cooperate with all the energies and resources they can command for the protection of the canal and to safeguard national territory."[1] Throughout the remainder of the war the Government of Panama cooperated closely with that of the United States, although not as an active participant.

Despite the strong German interests in Guatemala, President Cabrera severed diplomatic relations with Germany on April 27, 1917. In officially informing the United States of this action, the Guatemalan minister to the United States declared: "Guatemala takes the greatest pleasure in offering to the United States of America her territorial waters, her ports and railroads, for use in common defense, as also all elements which may be available for the same purposes." Admiral Caperton, who was sent to thank President Cabrera for this action reported the following reasons: (*a*) "Fear of aggression by Mexico and Salvador; (*b*) opportunity to increase the friendship of the United States, with consequent advantages in trade and protection; (*c*) opportunity to confiscate large German estates; (*d*) desire to strengthen Cabrera's administration."[2]

On April 22, 1918, the Guatemalan Government formally declared war against the Imperial German Government. The resolution of the National Assembly provided

[1] Republica de Panama, *Memoria que presenta el Secretario de Relaciones Exteriores á la Honorable Asamblea Nacional en sus sesiones ordinarias de 1918*, p. 5-6; Naval War College, *International Law Documents*, 1917, p. 196.

[2] Sen. Doc. 285, 66th Cong., 2d sess., p. 3212.

that "continental solidarity, the geographical position of the country and the bonds, historical and international, existing between the United States and Guatemala, indicate the form of conduct to be followed in the present case," and led Guatemala to assume the same belligerent attitude.

From the beginning of the European War, Nicaragua like Panama, closely pursued the policy of the United States. It will be recalled that the Bryan-Chamorro treaty had just been negotiated and that Nicaragua had received the tacit support of the United States in its attitude toward the cases brought against it before the Central American Court of Justice. United States marines were maintained in Managua, while the collection of customs was supervised by a citizen of the United States. It was therefore natural that war policy should have been in close harmony.

On May 18, 1917, the Nicaraguan Congress decreed severance of diplomatic relations with Germany and authorized the President to grant to the United States the use of its territorial waters and its means of communications.[1] On May 6, 1918, Nicaragua declared war against Germany and Austria-Hungary and proclaimed solidarity with the United States and the other Latin American republics which had entered the conflict.[2]

The policy of Honduras was also in conformity with that of the United States. Following the severance of diplomatic relations between the United States and Germany, Honduras on May 17, 1917, took similar action. The minister of foreign affairs in notifying the United States of its action said that Honduras, being "impelled by the cordial friendship which exists between Honduras and the United States by common interests and the sentiment of American solidarity," had resolved to "adhere to the cause" which the Government of the United States

[1] Republica de Nicaragua, Ministerio de Relaciones Exteriores, *Memoria presentada al Congreso Nacional . . . 1917*, II, p. 57–58.

[2] *Memoria . . . 1918*, I, p. xxix and 239.

maintained in the conflict.[1] Over a year later (July 19, 1918), Honduras declared war against Germany by presidential decree.

The attitude of Costa Rica toward the World War was complicated by internal conditions. The *coup d'état* of 1917 overthrew the Gonzalez Government and established the Tinoco régime, whose Government was not recognized by the United States or the Allied Governments. The larger Latin American Governments also refused recognition. Despite the fact that Germany recognized the new Government, the Tinoco administration early in 1917 offered the use of its territorial waters of Costa Rica to the Allies. On April 12 it declared support of the United States.[2] Diplomatic relations with Germany were severed on September 21, 1917. War was formally declared on May 24, 1918. The United States and the Allies, nevertheless, consistently refused to recognize the Tinoco Government. Hence the anomalous situation whereby Costa Rica, although officially at war with Germany, was not recognized as a member of the Allies.

The only Central American Government which did not declare war against Germany was that of Salvador. The influence of the United States was less marked in this republic than in any of the other six isthmian states. Then, too, Salvador was disappointed at the disregard by the United States of the decision of the Central American Court of Justice in its case against Nicaragua concerning the Fonseca Bay naval base.[3]

Salvador, however, maintained a policy of benevolent neutrality toward the United States and the allies in recognition of the "solidarity which binds it to the great republic of the north." Although technically neutral, it allowed vessels of the United States to use its ports with the same

[1] Republica de Honduras, *Memoria del Secretario de Estado en el Despacho de Relaciones Exteriores . . . presentado al Congreso Nacional, 1916–1917*, p. 162.

[2] Naval War College, *International Law Documents*, 1917, p. 77.

[3] Republica de El Salvador, *Memoria de Relaciones Exteriores, Instruccion Publica y Justicia correspondiente al año de 1917*, p. 19; see also note of October 6, 1917, Naval War College, *International Law Documents*, 1917, p. 210.

rights and privileges as ships of Salvador. This policy was prompted by the fact that Salvador was a member of the Pan American family of nations and did not regard the United States, — a comember, — in the same light as other belligerents.[1] Salvador maintained this attitude throughout the remainder of the conflict.

Dominican Republic

The Dominican Republic withdrew the exequaturs of German consuls in that country in July, 1917, and since Germany did not have a minister in Haiti, this action was regarded as a severance of diplomatic relations. It should be noted, however, that the marines of the United States were occupying the republic at that time.

Haiti

United States marines had occupied Haiti in 1915 and the established Haitian Government was consequently in complete harmony with its big brother. The sentiment of the country was strongly pro-French. The President recommended a break with Germany shortly after the United States entered the war but the National Assembly refused to take such action. Although the Assembly was dissolved on June 19, 1917, war was not declared until July 12, 1918.

Mexico

In many respects the attitude of Mexico in the war more nearly resembled that of Argentina than of any other American republic. It maintained an official neutrality from the first. The Vera Cruz episode, the Villa expedition, the strong German influence and the attitude of President Carranza toward the United States, all contributed to a determination to maintain a technical neutrality.

[1] Republica de El Salvador, *Memoria de Relaciones Exteriores, Instruccion Publica y Justicia correspondiente al año de 1917*, p. 19; see also note of October 6, 1917, Naval War College, *International Law Documents*, 1917, p. 210.

Strong German propaganda flourished and Mexico was the center of an efficient German espionage system. Although President Carranza repeatedly asserted that his Government was strictly adhering to neutrality, the allies entertained considerable doubt regarding the actual situation. This suspicion was fortified by the Mexican proposal on February 12, 1917, to all other neutral Governments, that the groups of contending powers be invited to bring the war to an end. "If within a reasonable term peace could not be restored . . . the neutral countries would then take the necessary measures to reduce the conflagration to its narrowest limits by refusing any kind of implements to the belligerents and suspending commercial relations with the warring nations until the said conflagration shall have been smothered."[1] This proposal was made 13 days after the inauguration of unrestricted submarine campaign and seven days after the United States broke diplomatic relations with Germany. Such a plan would have hampered the allies and worked to the advantage of the central powers. The proposal led to no tangible results.[2]

The famous Zimmermann dispatch of January 19, 1917, indicated that Germany was confident of Mexican sympathy. Although the Mexican chargé d'affaires at Washington formally denied any implication of his Government in the affair, President Carranza refrained from making any statement. Carranza's suspicion of the United States was in evidence on many occasions and was one of the factors which influenced Mexico's war policy.

3. Method of Acquiring Membership

The Covenant of the League of Nations was Part I of the treaties of peace and hence the method by which the Governments acquired membership in the League of Na-

[1] Department of State, *Diplomatic Correspondence with the Belligerent Governments relating to Neutral Rights and Duties. European War, No. 4*, p. 349–351.

[2] Attitude of the United States, see *ibid.*, p. 351.

tions varied in accordance with their respective status in the war. All of the American Governments which had declared war or severed diplomatic relations with Germany were represented in the Peace Conference, except Costa Rica and the Dominican Republic. The neutral republics had no official voice in drafting the Covenant. This fact led Argentina to propose a radical change in the organization of the League at the First Assembly in 1920.

Eleven of the 13 Latin American republics which had severed relations with Germany were represented at the Peace Conference and signed the treaty of Versailles. All of these except Ecuador ratified the treaty and thus became original members of the League of Nations. Costa Rica was admitted in 1920 by the First Assembly. The remaining seven republics, those which had remained neutral during the conflict, were not represented at the Peace Conference although all except Mexico were invited to accede to the Covenant, which they all did. Thus the First Assembly saw all of the Latin American republics Members of the League except Mexico, Ecuador and the Dominican Republic. The Dominican Republic was admitted as a Member on September 29, 1924.

With the signing of the armistice, Brazil stood as the champion and leader of the Latin American countries. The Brazilian plenipotentiary to the Peace Conference was made a member of the Commission on the League of Nations. At his request Art. 26, par. 2, was added to the Covenant to the effect that a state shall cease to be a member of the League if any amendment shall be added to which it does not wish to be bound.[1] When 14 nations deposited the procès-verbal of their ratification in the French Foreign Office at Paris January 10, 1920, Brazil became one of the first Members of the League of Nations. She was named by Art. 4 of the Covenant as a member of the League Council to serve until the Assembly should elect the nonpermanent members.

[1] *Protocole de la Conférence des Préliminaries de Paix*, No. 5.

Cuba

Cuba was represented at the Peace Conference by the distinguished jurist and statesman, Dr. Antonio Sanchez de Bustamante, who interested himself in the rights of smaller nations. He was partly responsible for the provision in the Covenant which allows a member to withdraw after two years' notice, provided all its obligations under the Covenant have been fulfilled. On February 4, 1920, the Cuban Congress approved the treaty of Versailles and on March 8, 1920, the ratification was deposited at Paris. Some Cubans questioned the advisability of taking action not in harmony with the United States but the great majority favored independence in foreign policy in harmony with what they considered the best national interests.

Peru

Peru, having broken diplomatic relations with Germany, was a member of the Peace Conference.

The treaty of Versailles was submitted to the National Assembly on September 25, 1919, by the minister of foreign affairs.[1] The Comisión diplomática, to which it had been referred, reported favorably on November 17, 1919; the same day it was unanimously approved by the Assembly after several speeches favoring ratification had been made. Ratification, however, was not deposited until March 9, 1920.

The discussion — not debate — seemed more to emphasize approval than to examine the subject. Ratification was a foregone conclusion; as the minister in opening the discussion said: "It is not necessary to tire the Senators and Representatives with any analytical study of the various articles of the treaty."[2] An analysis of the speeches reveals that the members of the Assembly[3] agreed upon one

[1] *Diario de los Debates de la Asamblea Nacional*, 1919, p. 15.

[2] *Ibid.*, p. 785.

[3] The assembly was constituent and produced the revision of the national constitution adopted January 18, 1920.

thing, *viz.*, the conviction that the League would take cognizance of the problem of Tacna and Arica and give them justice, as they viewed it. Thus they saw the League as an instrument which would compel the revision of the treaty of Ancón and restore to Peru its lost provinces.

It can be said in general that Peru labored under an illusion regarding the purposes of the League. The preamble's statement that the nations agree to the Covenant "in order to achieve international peace and security by the maintenance of justice and a scrupulous respect for all treaty obligations" meant to a Peruvian but one thing as far as the "Pacific Problem" was concerned. Tarapaca had been alienated by force while the principle of self-determination, although provided for in the treaty of Ancón, had never been put into effect in Tacna and Arica. Peru envisaged a vindication of the policy pursued toward its neighbor to the south, a plebiscite with full liberty to vote. No better statement of the Peruvian position can be found than in the words of the minister of foreign affairs in his opening speech before the National Assembly. He said:[1]

> This treaty needs no defense. It is universal and permanent, it does not signify the imposition of victor over vanquished, but the determination of principles which are going to try to give justice to the world. Peru has international problems to settle, questions of limits with some of its neighbors. . . . The treaty offers us the security that these questions will be discussed and solved peacefully. It offers us the security that there will be no trouble in these discussions and the result will correspond to justice and the interests of the parties concerned. It promises us, that the international problem, essentially linked to the dearest sentiments of the country, also will be solved according to the sacred rights of nations. . . . The treaty assures a just and rational solution according to principles of self-determination. The conditions in which the plebiscites have been organized for resolving the political problems of Europe reveals clearly that, in our diplomacy with the republic to the south, we have had the right to say that reason was on our side, to sus-

[1] *Diario de los Debates de la Asamblea Nacional*, 1919, p. 791.

tain what were conditions indispensable to organize the plebiscite. . . . We are able to say that the great treaty which has for its object the maintenance of peace and justice in the world also supports in all events, the satisfaction of the nationals.

Sr. Valcarcel, president of the Comisión diplomática, which reported favorably to the Assembly after considering the treaty in committee said:[1] "Forty years have passed and yet notwithstanding repeated demands for justice, we have not been able to secure our territory. We have to-day the League of Nations and those who have suffered from the brutalities of force for 40 years . . . can not doubt that justice will be given us."

Sr. Pradoy Ugarteche spoke of the mutilations imposed by violence which must be repaired, while Sr. Maurtúa said that "the Covenant of the League of Nations contains for Peru two fundamental points of international law . . ., one on plebiscite . . . and the other, the inalienable right of nations to recover at any time and in whatever form, the territories which were taken from them by violence. . . . The treaty of Versailles defines the perfect right of Peru to recover for all time and in whatever form the territory of Tarapaca."[2] Sr. Salazar Oyarzabal of the opposition party in favoring the treaty said: "The Covenant of the League of Nations prepares for Peru the best means for the recovery of that which the Peruvian people have to hope for."[3]

It is interesting to note that not one of the speeches made during the consideration of the treaty voiced any opposition or expressed a doubt regarding the efficacy of the new world organization for solving American problems. The treaty was approved unanimously[4] the day it was brought up for discussion, after which a resolution was passed to send a message to President Wilson.

[1] *Diario de los Debates de la Asamblea Nacional*, 1919, p. 793.
[2] *Ibid.*, p. 796.
[3] *Ibid.*, p. 803.
[4] *Ibid.*, p. 802.

In the closing session of the Assembly, December 27, 1919, a resolution was passed which had been signed by all members who signed the revised Constitution. It reads as follows:[1]

The National Assembly of 1919, the only constituent body meeting since the war with Chile, and which has approved the Covenant of the League of Nations, before its adjournment considers it its unavoidable duty to declare before America and the world in the name of Peru:

1. That the dismemberment of the department of Tarapaca, the richest territory of America, constitutes a conquest of territory and thus is an act of iniquity and of force that does not have a precedent in the history of the modern world.

2. That the treaty of Ancón has been violated by the conqueror in not fulfilling the clause which provided for a plebiscite in the provinces of Tacna and Arica in 1893.

3. That in virtue of this Chile not only conquered by aggression during the war but it pretends to conquer by violent retention in peace.

Hopes that the patriotism of the Congress and of the Government will use all of its power and influence with a view that the League of Nations and the action of the interested powers will, according to justice, protect the just, legitimate and imprescriptible claims of Peru.

Mariano H. Cornejo, the president, said in his closing speech that: "The League of Nations, which you approved, fired by emotions and seconded by popular patriotism, free from the obstacles of oligarchy, will resolve without a doubt, the international problem of Tacna-Arica."[2] This statement was received with long and unanimous applause, which evidenced the sincere approval of the Constituent Assembly.

Argentina

Argentina, not having been a member of the Peace Conference, did not assist in drawing up the Covenant of the League, except in attending the two informal meetings of

[1] The signatories numbered 122, 30 senators and 92 representatives.

[2] *Diario de los Debates, Asamblea Nacional*, 1919, Vol. 2, p. 1565–1567.

the neutrals with the subcommittee of the drafting committee.[1] Two factors are important. First, Brazil was in a very favorable position, while Argentina was not. Second, the President had envisioned his country as playing a prominent rôle as one of the leading neutrals in organizing the new world order which was being talked about. Hipólito Irigoyen may have had too exalted an opinion of the place which Argentina held in the family of nations. His international perspective may have been influenced by his intense nationalism. He spoke of a world conference of all nations rather than of the victors. Such a conference to discuss impartially an ideal world organization, however, was far from realizable in a war atmosphere and it is now generally admitted that the League or any association would not have been created if its charter had not been made at the Peace Conference.

Argentina was the first South American republic to accept the invitation to accede to the Covenant. The minister for foreign affairs, Honorio A. Pueyrredon, on July 12, 1929, sent the minister at Paris, Marcelo T. de Alvear, the following instruction:[2]

> In accordance with Art. 1 of the Covenant of the League of Nations, the Executive Power has decided to adhere to it without any reservation. Publish this decision. Please deposit with the Secretariat the appropriate communication.

Minister de Alvear notified the Secretary-General on July 18 and 29 of Argentina's adherence.[3]

The Argentine action was premature. Sir Eric Drummond informed the minister by note of July 23, 1919,[4] that the League had not yet been legally constituted and that he could not then carry out his duties as Secretary General

[1] See David Hunter Miller, *The Drafting of the Covenant*, I, p. 303; II, p. 592.

[2] Juan B. Sivori, *La Liga de las Naciones*, su origen y la obra realizada en la República Argentina, p. 503 (Buenos Aires, 1928).

[3] *Official Journal*, 1920, p. 13–14.

[4] Juan B. Sivori, *La Liga de las Naciones*, su origen y la obra realizada en la República Argentina, p. 504 (Buenos Aires, 1928).

respecting adherence.[1] The Secretary-General asked if it was the desire of Argentina to adhere as soon as the necessary ratifications should be made. The Argentine minister at Paris, Sr. Alvear, replied on July 29, that such was the interpretation to be given to the note of July 18; the Government "will ratify this adhesion as soon as the Chambers have given their approval."[2]

On the entrance of the treaty of Versailles into force on January 10, 1920, Premier Clémenceau of France addressed to President Irigoyen a formal invitation to adhere to the Covenant of the League.[3] On the 16th the Argentine President replied: "I take pleasure in transmitting to Your Excellency the formal ratification of the Argentine Government under the conditions of adhesion expressed in the note of July 18, 1919, addressed to the Secretary-General of the League by our representative in France." On January 10, moreover, Sir Eric Drummond informed the Argentine minister of foreign affairs that "in accordance with my reply of July 23, 1919, to your note dated July 18, I have in due form notified the Governments of all the other states which have ratified the treaty or adhered to the Covenant, and so are Members of the League, that the Argentine Republic has deposited in the Secretariat a declaration of adhesion." On February 11, Honorio Pueyrredon, the minister of foreign affairs at Buenos Aires, acknowledged this dispatch in the customary form of repeating its content.

The Congress had not been consulted respecting this action, and its first official notice of Argentine membership in the League was the presidential message of September 23, 1920, which requested approval of delegates to the First Assembly.[4] In commenting upon the message, *La Prensa* on September 26, 1920, criticized the President and insisted

[1] República Argentina, Ministerio de Relaciones Exteriores y Culto, Boletín de la Liga de Las Naciones, No. 1, 1920, p. 45.

[2] *Ibid.*, p. 45–46.

[3] Juan B. Sivori, *La Liga de las Naciones*, su origen y la obra realizada en la República Argentina, p. 506 (Buenos Aires, 1928).

[4] República Argentina, Ministerio de Relaciones Exteriores y Culto, *La Republica Argentina ante la Liga de las Naciones*, 1922, p. 149.

that he comply with the constitutional requirements and submit the Covenant to Congress.[1]

The Argentine Congress had not approved the Covenant when the Argentine delegation was admitted to the First Assembly of the League. It does not appear in the official documents or in the press that any doubts were expressed regarding the credentials of the Argentine delegation which, in any case, would be issued by the executive rather than the legislative branch of the Government. A careful examination of the documents, private correspondence and press reports furnishes no evidence that the Argentine Foreign Office had anything more than a rather hazy and general conviction that the League should be a theoretically ideal organization. There seems to be abundant evidence (1) that no serious and exhaustive study had been made or any definite plan or proposal formulated for a change in the Covenant; (2) that the chief executive had not consulted the legislative authority; (3) that there was a considerable amount of criticism of the President's attitude; and (4) that many were skeptical regarding the Covenant in view of the objections which had been brought out in the United States and Switzerland. Much space was given to these objections in Argentine official publications, although no definite plan appeared to represent the Argentine point of view.

Chile

Chile proposed a definite program and cooperated in formulating plans in accordance with their views. On March 19, 1919, authorization was cabled to the legation in Paris manifesting acceptance of the "general ideas regarding the organization of the League of Nations to assure peace by international cooperation and maintain a scrupulous respect for the existing treaties, affirming at the same time the principles that constitute the American rights as proclaimed in all of the Pan American conferences."[2]

[1] *La Prensa*, Buenos Aires, September 26, 1920, p. 9.

[2] L. Borros Borgoño, *The Problem of the Pacific and the New Policies of Bolivia*, p. 20 (Baltimore, 1924).

On October 4, 1919, the President in a message presented to the Senate the question of acceptance of the Covenant. After reviewing its general provisions, he proposed a resolution to "authorize the President of the Republic to require the acceptance, on the part of Chile, of the Covenant of the League of Nations."[1] At the request of the minister of foreign affairs, Luis Borros Borgoño, preference was granted to the project, an unusual procedure requiring a unanimous vote. This procedure was requested on account of "the importance and the urgency of the affair." Moreover, "the Argentine Republic has already given (*prestado*) its adherence in the manner required by the Covenant, *i.e.*, without reservation."[2] The minister sketched the traditional policy of Chile as one of conciliation and arbitration. Approval of the League was, he said, "destined to establish among the nations a new régime of cooperation and friendly agreement . . . and which is able to be, and must always be, the instrument of peace and sincere rapprochement among all the people." His concluding sentence was, "as stated before, the Republic of Argentina has already given its complete acceptance."[3]

On October 20, 1919, the Committee of Foreign Affairs reported that it had unanimously recommended on October 16 the acceptance of the Covenant by Chile. On October 27, the Congress accepted the Covenant, reserving (Art. II) "the right to consider modifications or safeguards which the signatory nations might make which have not yet ratified it" and directed the minister (Art. IV) to publish the official text.[4] The Chilean minister in London notified the Secretary-General on November 4, 1919, of his Government's action.

The minister of foreign affairs was apparently spurred on by the fact that Argentina had already given its ad-

[1] *El Convenio de la Liga de las Naciones*, p. 16 (Santiago, Chile, 1920).
[2] *Ibid.*, p. 17.
[3] *Ibid.*, p. 25–26.
[4] *Boletín de las Leyes y Decretos del Gobierno.*

herence, but could hardly have been acquainted with the real position in Argentina. According to Antonio Huneeus Gana, Argentina did not even apprise Chile of its attitude toward the League, even at the conference of the Chilean delegates with President Irigoyen before they sailed from Buenos Aires to attend the first League Assembly. Hence, it would seem that the Government of Chile was misled regarding the adherence of Argentina to the League.

Other States

Uruguay was represented at the Peace Conference, where Juan Antonio Buero announced his perfect accord with the League of Nations Covenant at the fifth plenary session.[1] Uruguay promptly ratified on October 24, 1919, and was one of the nations to deposit its ratification in Paris on January 10, 1920.

The delegate from Honduras, ex-President Policarpo Bonilla, urged that the reference to the Monroe doctrine in Art. 21 of the Covenant be stated more clearly. His proposal did not meet with approval, and it does not appear that it received any serious attention.[2] Honduras did not become a member until November 3, 1920.

Guatemala and Panama became members on January 10, 1920. Guatemala had ratified on October 2, 1919, and Panama on January 8, 1920. The Nicaraguan Congress accepted the treaty April 7, 1920, and effected ratification on November 3, 1920. The National Assembly of Haiti approved on June 5, 1920, and the Government became a member June 30, 1920.

The two American nations which had neither severed diplomatic relations with Germany nor declared war, viz., the Dominican Republic and Costa Rica, were not represented at the Peace Conference. Costa Rica sought to be admitted to the conference but failed. As noted above, the United States and Allies had refused to

[1] Protocole de la Conférence des Préliminaires de Paix, No. 5, p. 9. (See Hearings before the Committee on Foreign Relations, U. S. Senate, 1919.)

[2] *Ibid.*, p. 21.

recognize the Tinoco Government and therefore to them it had no official international standing. The Tinoco Government was soon overthrown and a constitutional government reestablished. On December 1, 1920, Costa Rica applied for admission and on December 16, 1920, the First League Assembly unanimously admitted it to membership.[1]

The Dominican Republic was occupied by the United States. After the United States withdrew in 1924, the Dominican Government requested admission to the League in a telegram to the Secretary-General on September 23, 1924. The Dominican Republic was admitted by the Fifth Assembly on September 29, 1924.[2]

The six republics which had maintained neutrality accepted the invitation to become members. Mexico was not invited to accede to the Covenant. This was probably due to its attitude during the war and to its policy toward foreigners and their property. President Carranza referred to Mexico's status in his message to Congress September 1, 1919, in the following manner:[3]

> When the struggle was over, the Governments of the Allied powers met to constitute a League of Nations, to which it was said that almost all countries would have access under certain conditions; all were invited except a few, Mexico among them, and our Government has done nothing, nor will ever do anything, to enter into that international society, because the bases upon which it was formed do not establish, either as to its functions or as to its organization, a perfect equality for all nations and races . . .

Señor Edwards of Chile, as president of the Third Assembly, on September 30, 1922, declared: "Need I say with what joy the League will welcome the great Mexican nation into its circle whenever she feels that the time for joining us has come? For the Latin American nations the

[1] *Records of the First Assembly, Plenary Meetings*, p. 584.

[2] *Records of the Fifth Assembly, Plenary Meetings*, p. 189.

[3] *Diario Oficial*, September 1, 1919, p. 28 (Informe Presidencial).

collaboration of a sister republic . . . will be of greatest value."[1]

An invitation was extended but it was refused on September 14, 1923. The reply stated that as long as the Mexican Government remained unrecognized by Great Britain, "Mexico will be forced to decline suggestions that she apply for admission to the League."[2] Since that time there have been many expressions before the Assembly by Latin delegates of the hope that Mexico might join but no action has ever been taken. In December, 1929, Mexico accredited an observer to Geneva to follow League of Nations activities.

The neutrals were invited by the Commission on the League of Nations of the Peace Conference to meet for an expression of views on the proposed organization. Two rather informal meetings were held on March 20 and 21, 1919, with a subcommittee of that commission. Argentina, Salvador and Chile were represented at the meetings by their respective diplomatic agents in Paris.

Salvador approved the principle of the League of Nations and expressed the hope that it would guarantee the integrity and autonomy of the smaller nations. However, it hesitated to join on account of uncertainty regarding the meaning of Art. 21, which provides that nothing in the Covenant "shall be deemed to affect the validity of international engagements . . . such as the Monroe doctrine." It requested the United States on December 14, 1919, to define more clearly the scope and character of that doctrine.[3] On February 26, 1920, the United States replied by referring to President Wilson's speech of January 16, 1916, before the Pan American Scientific Congress. This seemed to satisfy the Government of Salvador for on March 5, 1920, it adhered to the Covenant of the League by executive

[1] League of Nations, *Records of the Third Assembly* (1922), Part I, p. 393.

[2] Great Britain recognized the Calles Government in *1923*.

[3] Republica de El Salvador, Ministerio de Relaciones Exteriores, *Libro Rosado;* contiene la actuacion de la cancilleria salvadorena relativa a la aceptacion y adhesion de El Salvador al pacto international Liga de las Naciones, p. 36 (San Salvador, 1920).

decree. Adhesion was deposited March 10, 1920, and the Legislative Assembly ratified the action the next day.[1]

Paraguay adhered to the Covenant on October 29, 1919,[2] and filed the proper instrument on December 26, 1919.

Venezuela accepted the Covenant and became a Member on March 3, 1920.

Colombia adhered February 16, 1920. The letter to the Secretary-General stated that it desired to adhere to the Covenant, but did not wish this action to constitute a recognition of the independence of Panama. The Council of the League [3] on February 12, 1920, authorized the Secretary General to acknowledge the proposal "without expressing any opinion on the point at issue." The letter of accession was circulated to all Members of the League.

[1] Republica de El Salvador, *Diario Oficial*, March 19, 1920.

[2] *Official Journal*, I, p. 14.

[3] Procès-Verbal of the Council, Second Session, 4th meeting, p. 4.

III. PARTICIPATION IN THE LEAGUE

1. South American Republics

Brazil

THE relations of Brazil with the League are probably the most interesting of any Latin American country on account of its prominent rôle in the organization of the institution and its energetic and consistent cooperation during the first five years. Brazil attracted world-wide attention by its attitude toward the reorganization of the Council during the Extraordinary Session of the Assembly in March, 1926, which was followed by its notice of withdrawal.

Brazil accepted the purposes of the League of Nations as worthy of trial, and was honored by being made a member of the League Council. In his address on the occasion of Secretary Colby's visit to Rio de Janeiro in December, 1920, President Pessoa expressed regret that the United States had failed to ratify the treaty of Versailles. Brazil, he declared "is naturally very much interested in the beneficial purposes of the League of Nations. Therefore, it is a matter of regret that the United States, which took the leading part in that great project, has not retained it."[1]

Dr. Nuno Panheiro expressed the attitude of Brazil in March, 1921, thus: "The North American Union, having repudiated, in part, the work of Mr. Wilson in the Peace Conference, thus left Brazil alone to represent America in the place where it formerly stood side by side with the United States. Not that this changes in any degree Brazil's sentiment toward, and solidarity with, the United States. On the contrary, Brazil rejoices in being able, in the absence of the United States to interpret in the international conventions (*sic*) in Europe the spirit and

[1] *Independent*, Jan. 8, 1921, Vol. CV, p 49.

ideals of America, whose exponent heretofore has always been the great Republic of the North."[1]

By Art. 4 of the Covenant Brazil was made a member of the Council to serve until the Assembly should elect the non-permanent members. M. Gastão da Cunha, the Brazilian ambassador in Paris, was designated to represent his Government on the Council. His tact and ability won recognition both in the Council and in the Assembly, and during the first year he was made rapporteur on a number of important questions, such as the constitution of the international body for health problems, traffic in women and children, typhus in Poland, and Eupen and Malmédy. He served as one of the three Brazilian delegates to the First Assembly. His proposal before the Assembly [2] for the organization of the technical organizations was adopted. It might be of interest to note that on November 20, 1920, at the second meeting of the Sixth Committee, Senhor da Cunha submitted a resolution to the effect that the private manufacture of war material of every kind, intended for use on land or sea or in the air, be made a state monopoly, and that all private enterprises and interests be prohibited. He urged that the Assembly call upon all states Members of the League of Nations to introduce into their national legislatures the measures necessary to put an end to private manufacture of armaments.[3] This began the consideration of a question posed in the Covenant.

M. Gastão da Cunha in the second year was president of the Council during the trying days when that body was considering the Polish-Lithuanian controversy. It was during this year that the problem of the deportation of women and children in Turkey and the neighboring countries was considered and the Brazilian delegate took a prominent part in it. The Second Assembly elected Brazil

[1] Dr. Nuno Panheiro, "Brazil and Latin America confronting the League of Nations and Imperialism of North America," *Pan American Magazine*, March, 1921, p. 197.

[2] *Records of the First Assembly, Plenary Meetings*, p. 336.

[3] *Ibid., Meetings of Committees*, II, p. 252.

as a nonpermanent member of the Council by the largest vote received by any member, 38 out of a possible 41.[1]

Rodrigo Octavio de Langaard Menezes, Undersecretary of State for Foreign Affairs, served as a Brazilian delegate to the First Assembly and as one of the six vice-presidents was a member of the General Committee. He was appointed to the Fifth Committee which at this session was one of the most important, having to do with the admission of new members. At the 27th plenary meeting on December 16, 1920, Senhor Octavio, as rapporteur for the Fifth Committee, after reviewing the facts stated that the committee could not recommend that all states be admitted by the League. This stand of the Brazilian delegation against universal admission is interesting since the Argentine delegation had sponsored the proposition that all nations should be admitted without question, whether they wished to be or not. The Assembly's acceptance of the report led Argentina to withdraw its delegates.

Brazil participated in defining the powers and organization of the League. In the First Assembly on a proposal that the committees of the Assembly be made permanent, Octavio observed "that the permanent committees would deprive the Council of the executive authority, that the position of a representative to the Assembly was that of a mandatory and did not permit him to depart from his instructions; and since the mandate terminated with the session of the Assembly it was impossible to understand how members could continue to consider themselves as delegates after the Assembly had risen." This became the recognized principle.

The third delegate to the First Assembly was Raul Fernandes, a member of the Federal House of Representatives and former plenipotentiary to the Peace Conference. Dr. Fernandes has probably added more to the prestige and influence of Brazil by his work in connection with the League than any other one Brazilian. He was a valued member of the Advisory Committee of Jurists to draft

[1] *Records of the Second Assembly, Plenary Meetings*, p. 898.

the scheme for the Permanent Court of International Justice. This committee of ten legal experts met at The Hague June 16, 1920, and formulated the draft scheme for the organization of the World Court. As a delegate to the Assembly he was a member of the Third Committee which had to do with the organization of the Permanent Court of International Justice.[1] Still more important, he was one of five members of the Assembly, who, together with five additional legal experts, made up the Jurist's Committee that studied the plans submitted by the Hague Committee to the Council.[2] One needs but glance through the Records of the First Assembly to get an idea of how prominent Dr. Fernandes was in the formulation of the scheme for the World Court. He fought for establishing the Statute of the Court by a simple vote of the Assembly rather than by a separate convention and won in his contention.[3] At The Hague he had lost his proposal for the publicity of dissenting opinions, but won his point before the committee and the Assembly.[4]

Dr. Fernandes performed a great service when the Assembly was nearing a deadlock over the question of compulsory jurisdiction of the Court. On this subject two opposing views were taken: One side, the majority of which were small states, favored compulsory jurisdiction, while the great "powers" opposed such jurisdiction. As unanimity was required, the supporters of obligatory jurisdiction (who constituted the larger number) found themselves face to face with a deadlock. At this perplexing moment, Dr. Fernandes proposed retaining both the provisions of the Advisory Committee for compulsory jurisdiction, which he had favored, and those of the Council, leaving it to each state, in ratifying, to choose between compulsory and voluntary jurisdiction. This compromise saved the situation and the Statute was adopted so as to enable the Members to accept compulsory jurisdiction by means of the

[1] *Records of the First Assembly, Plenary Meetings*, p. 19.
[2] *Ibid., Meetings of Committees*, I, p. 332.
[3] *Ibid.*, p. 298.
[4] *Ibid.*, p. 374.

Optional Clause when ratifying the protocol of signature if they so desired. "Dr. Fernandes," said Rodrigo Octavio, "succeeded in winning the admiration and respect of his colleagues on the Advisory Committee at The Hague, and both there and later in Geneva he gave luster to the name of Brazil."[1]

Regarding the question of amending the Covenant of the League, Dr. Fernandes strongly favored a majority rather than a unanimous vote. He contended that the acceptance of an amendment by a majority vote in the Assembly would not infringe in the least upon the sovereignty of such states as rejected the amendment, for as he pointed out, according to Art. 26, every Member was free to dissent from an amendment, in which case it would cease to be a Member of the League. They would not, therefore, bind a state by a vote to which it did not agree. This provision had been inserted in the Covenant, Dr. Fernandes said, at the suggestion of M. Epitacio Pessõa, the Brazilian delegate to the League of Nations Commission. Dr. Fernandes was probably the outstanding figure in the discussion of the question and as a result, he drafted the amendments to Art. 26 of the Covenant which are now before the Members for ratification. These embodied the proposals of a number of delegates and were voted at the Second Session of the Assembly in 1921, as follows:[2]

> Amendments to the present Covenant the text of which shall have been voted by the Assembly on a three-fourths majority, in which there shall be included the votes of all the Members of the Council represented at the meeting, will take effect when ratified by the Members of the League whose representatives composed the Council when the vote was taken and by the majority of those whose representatives form the Assembly.
>
> If the required number of ratifications shall not have been obtained within 22 months after the vote of the Assembly, the proposed amendment shall remain without effect.

[1] "Versailles Covenant and the Geneva Assembly," *Inter-America*, Vol. V, p. 376.

[2] *Resolutions and Recommendations adopted by the Assembly during its Second Session*, p. 9–10 (*Official Journal*, Spec. Sup. No. 6).

The Secretary-General shall inform the Members of the taking effect of an amendment.

Any Member of the League which has not at that time ratified the amendment is free to notify the Secretary-General within a year of its refusal to accept it, but in that case it shall cease to be a Member of the League.

Dr. J. A. Barboza Carneiro has been an expert connected with the Brazilian delegation since the First Assembly. He was prominent in the drawing up of the scheme for the allocation of the League's expenses. He was also a member of the committee on the organization of the Secretariat and a delegate to the International Financial Conference at Brussels. At the Second Assembly Dr. Barboza Carneiro urged the creation of an office of the Secretariat in Latin America and as a result the study ending in establishing the Liaison Bureau was undertaken.[1]

When the Second Assembly and Council of the League of Nations on September 14–15, 1921, proceeded to the election of the Judges of the Permanent Court of International Justice, Brazil's nomination included the American statesman, whose Pan American policy had received the hearty support of all Latin America, — Elihu Root. When the Court was finally constituted, the Brazilian legal system was honored by the eminent statesman and jurist, Ruy Barbosa, being elected a judge. Senhor Barbosa died March 1, 1923, and the vacancy was filled September 10, 1923, by the election of Epitacio da Silva Pessõa, former President of Brazil.

We shall refrain from recording full committee assignments in considering participation of the various delegations in the Assembly. As each nation is entitled to a delegate on each of the six committees of the Assembly, the delegates of each country are necessarily members of one or more committees. Unless they took a reasonably active part in the work of the committee, no further personal mention of them will be made. When a nation is represented by only

[1] See p. 142.

one delegate, which is the case with some of the nations, for example, Salvador, Paraguay or Guatemala, that delegate may divide his time and attention as he so desires.

Senhor don Domicio da Gama, the Brazilian ambassador in London, headed the delegation to the Third Assembly. The other two delegates were likewise new — R. Regis de Oliveira, ambassador to Mexico, and J. Raul do Rio Branco, minister to Bern. In this Assembly Brazil played a rather passive rôle. Senhor da Gama as president of the Council was provisional president of the Assembly and in that capacity made the opening address. Senhor Regis de Oliveira reiterated before the Third Committee the argument on reduction of armaments which, as previously presented, indicated that Brazil could not reduce its military force. Brazil was reelected as a nonpermanent member of the Council for the ensuing year by 42 out of 46 votes cast, the highest number received by any state, despite the absence of five Latin American members.[1]

Afranio de Mello-Franco headed the Brazilian delegation to the Fourth Assembly. Senhor de Mello-Franco had been president of the Brazilian delegation to the Fifth Pan American Conference, was a member of the Permanent Court of Arbitration at The Hague, had been minister to Bolivia and had also held important governmental positions in Brazil. He was made chairman of the Fifth Committee and ex-officio vice-president of the Assembly. Senhor de Mello-Franco was accredited to the League of Nations with the rank of ambassador and was head of the Permanent Brazilian delegation to the League of Nations. He served as representative on the Council and in that capacity led the fight for a permanent seat for Brazil in 1926. The other delegates at the Fourth Assembly were Raul do Rio Branco, minister to Bern, and Frederico de Castello Branco-Clark, minister to Venezuela and deputy minister on the Permanent Delegation to the League of Nations. The part played by the Brazilian delegation in this Assembly was again a passive one.

[1] *Records of the Third Assembly, Plenary Meetings*, p. 383.

The delegation to the Fifth Assembly consisted of the two ranking members of the Brazilian Permanent Delegation to the League of Nations, Senhores Mello-Franco, ambassador to the League, and Castello Branco-Clark, deputy minister, together with Raul Fernandes, who had been very valuable in the first two Assemblies, and now became prominent in the discussion of the First Committee relating to the pacific settlement of disputes. Brazil had urged in preceding Assemblies its special position in regard to the question of disarmament. In the Fifth Assembly special stress was laid upon this proposition by Senhor Castello Branco-Clark in the Third Committee.[1]

Senhor de Mello-Franco spoke before the Assembly regarding reduction of armaments and the treaty of mutual guaranty. Speaking of the draft treaty he said:[2]

> An attempt was made to devise some organic form for this mutual assistance, and the obligation to assist a state in the event of attack was, in principle, restricted to other states in the same continent. This restriction, which would have left Australia without assistance, would also have rendered the treaty inoperative as far as American states are concerned. This becomes strikingly evident when we remember that the United States do not belong to the League.
>
> Moreover, the American countries that are Members of the League are not armed, and would in the event of aggression be unable to give any assistance to the country attacked, whoever the aggressor might be.

He pointed out that it is practically impossible for one American state to give assistance to another because of the lack of military and naval force, the great distances between the nations and the topography of the continent. Speaking of the Gondra treaty which had been signed at the Fifth International Conference of American States at Santiago, he said: "This treaty, which was ratified by several other states, including the United States, really

[1] *Records of the Fifth Assembly, Minutes of the Third Committee*, p. 69 (*Official Journal*, Spec. Sup. No. 26).

[2] *Ibid., Plenary Meetings*, p. 72 (*Official Journal*, Spec. Sup. No. 23).

renders it needless for the American states to adhere to a treaty of mutual guaranty as a protection against the danger of an act of aggression in that continent on the part of an American country."

Senhor Barboza Carneiro was again an expert attached to the delegation and was prominent in the discussions of the Fourth Committee, before which he urged that Latin Americans should have precedence for appointments in the Secretariat in view of the fact that Latin America was inadequately represented on the permanent staff.[1]

The same delegation represented Brazil at the Sixth Assembly. Once again Brazil noted the peculiar position of the American nations and pointed out anew that regional pacts of security were of little or no concern to them but that intercontinental agreements were to the American states the means upon which peace depends. This point of view was presented before the plenary Assembly by Senhor Fernandes and before the Third Committee by Senhor Castello Branco-Clark. The latter pointed out that the A B C powers — the most powerful of the Latin American nations — possessed smaller armaments than even the least armed European groups. Senhor Fernandes asserted of the American states:[2]

> We have no concern with regional pacts of security, for the peace of our continent is based upon unshakable moral foundations, and is the outcome not of exceptional political foresight, but of the geographical and economic causes which mould our history. On the other hand, we have urgent need of intercontinental pacts, for there is a constantly increasing influx of foreign labor and foreign capital. Both are coming, or have already come, from populous and wealthy regions — largely from Europe, and, to an extent which may become very considerable, from the Far East.
>
> Any international disputes in which we may be concerned will therefore be the outcome of these intercontinental relations and will, by reason of their very origin, be legal rather than political in

[1] *Records of the Fifth Assembly, Minutes of the Fourth Committee*, p. 34 (*Official Journal*, Spec. Sup. No. 27).

[2] *Records of the Sixth Assembly, Plenary Meetings*, p. 83 (*Official Journal*, Spec. Sup. No. 33).

character. Our security thus requires that such legal disputes should be settled by judicial means, either by compulsory arbitration or, preferably, through the Hague Court. . . .

It is only too obvious that in the system of regional pacts room can hardly be found for the intercontinental agreements upon which our peace depends. There is, of course, an indirect way out of the difficulty — a means we employed before the existence of the League; I refer to partial arbitration treaties. But these coventions are independent of the League and do not include all the guaranties given under the Covenant.

Brazil favored the conclusion of special agreements for the limitation of armaments within the general organization of the League, and such other agreements between the parties as would grant additional general guaranties against any act of aggression. Consequently, agreements for limiting armament together with a general system of guaranties in the spirit of the Covenant formed the common aim of South American countries.

One of the most important controversies with which Brazil was connected in the League of Nations was that which related to the admission of Germany as a permanent member of the Council. Germany requested the attitude of the Council members regarding a permanent seat for Germany in a note sent to the Members of the League Council in September, 1924. Brazil replied December 1, 1924, with a note which contained the following:[1]

The Brazilian Government is of opinion, however, that the concrete questions arising out of the desires expressed by Germany are such as can not be dealt with by individual Governments as between themselves; they should rather be stated and discussed as a whole by the Members of the League and within the League in order that the various aspects of these questions and the views of the other Members should be fully made known. The German Government may be sure, however, that we shall examine impartially and in a conciliatory spirit the desires it expresses in its memorandum dated September 29, 1924, and that we are resolved to find satisfactory solutions for all questions and all just claims, without prejudice to

[1] Seventh Yearbook of the League of Nations (World Peace Foundation, Boston, 1927), p. 145.

the engagements undertaken by Brazil and to the true doctrine of international law, so far as the latter is applicable in each individual case.

This is not the place to discuss the difficulties which preceded the entry of Germany into the League. Suffice it to say that there was evidence of an understanding which grew out of the Locarno meetings, that France would support the claim of Poland for a permanent seat on the Council when Germany was admitted. An assurance had been made by Great Britain to support the renewal of Spain's claim for a permanent seat "under suitable circumstances." Brazil, lacking the support of any large state, renewed its claim to a permanent seat largely on the grounds of continental interests. Chile had proposed this at the Fourth Assembly in 1923.[1] There is little question that Brazil felt it was a duty to maintain the rights of the American continent and to claim to be the logical heir to the place which the United States had renounced.

Brazil may have had an exalted opinion of its position and may have misjudged the support of the remaining members of the American family of nations for the demand for larger representation on the Council. Brazil probably erred when it made its own claim for a permanent seat an essential condition of that adequate representation.

Brazil pointed to the lack of permanent representation of America on the Council and stressed the point that the absence of the United States gave a special importance to its own position. The peculiar territorial position of Brazil was emphasized. It touches every South American country except Chile and Ecuador and is the largest and most populated country of Latin America. It is the only Portuguese country on the continent and if its nonpermanent seat went to another country,[2] Portuguese America would not be represented. This argument undoubtedly reflected the feeling which exists between Spanish and

[1] See *infra*, p. 86.

[2] In practice two Latin American Members were then represented on the Council.

Portuguese America. Brazil has consistently fought for the "principle of equality" of representation of states in international bodies. In 1907 at the Second Hague Peace Conference Ruy Barbosa led the attack upon every plan for the establishment of a court of arbitral justice upon any other basis than the absolute "equality of states." In 1919 its delegate had advocated the principle in the commission which drafted the Covenant, and now, with six years of experience and under changed conditions, Brazil once again entered the plea.

The meeting of the Council and the Extraordinary Session of the Assembly in March, 1926, led to long and arduous "Locarno conversations" in an effort to solve the problem raised by the claims of Germany and others to be permanent members of the Council. These conversations were held outside of the regular Council meetings and were private. There is evidence, however, that the claims of Poland, to which Briand was especially sympathetic, and the claim of Spain, toward which Great Britain was cordial, were given the chief consideration. Locarno statesmen were the principal persons in the League Council and Assembly and to them, the European problem was all important. The Locarno agreements had to be carried out even at the expense of other more or less justified claims.

As Brazil had a voice on the Council and hence could block any compromise, its attitude was of course reckoned with, but it does not appear that any serious efforts were made to reconcile its claim. This might be gathered from the press reports and from Senhor de Mello-Franco's address before the Assembly. The efforts of the Council statesmen were chiefly directed toward inducing him to acquiesce in their formula and to accept their solution. The plan formulated provided that Sweden should resign its place on the Council to give place for the Netherlands, thus maintaining the influence of northern Europe and enabling a friend of Germany to be on the Council. Czechoslovakia would relinquish its seat, which would be filled by the election of Poland. Spain and Brazil were already on the

Council and hence it was thought that they would be satisfied.

Brazil declined to forego insistence on a permanent seat, demanding a larger American representation on the Council. This position was logically strong, but the claim was not rested there. Brazil assumed that since it was an "integral part of America," it had an "equal" right with the other American countries to formulate this claim; the logical consequence of a community of interests, as of an abstract condominium, being that a joint owner may defend joint property as if it were his own, *re sua propria agitur*. Brazil was confident that the American states would support its claim. But its rôle of self-appointed spokesman and defender of America did not appeal to them. They all favored larger American representation on the Council and would probably have favored the elimination of permanent seats altogether, but they would not go with Brazil in its claim to be the leader of America and as such holder of the special privilege of a permanent seat on the Council.

The Latin American countries manifested opposition to a permanent seat for Brazil on the ground that it would be contrary to the principle of equality which had always been maintained among the American nations. They were agreed that three Council states should be elected from the American Members but without any restriction or provision that any one nation or group should always be represented. They were opposed to any plan which would grant a special position to any American nation. The delegations at the special session from Chile, Colombia, Cuba, Guatemala, Nicaragua, Paraguay, Dominican Republic, Salvador, Uruguay and Venezuela met on March 17 to exchange views. After this meeting they sent the following note to the Brazilian delegation:[1]

> The American delegations . . . having exchanged their views in a spirit of the utmost cordiality and solidarity, and, having heard the information which M. Guani and M. de Mello-Franco, members

[1] *Records of Special Session of Assembly, March, 1926, Plenary Meetings, and Meetings of Committees*, p. 29 (*Official Journal*, Spec. Sup. No. 42).

of the Council, have been good enough to give them, have decided as follows:

The American delegations, conscious of the gravity of the League's present situation, regardful of the interests of world peace, and realizing how essential it is that the American states should exert their influence to bring about the reconciliation of the peoples of Europe, desire to express to His Excellency M. de Mello-Franco the hope that Brazil will take such steps as she may consider most opportune to bring about unanimity in the Council and so remove the difficulties which stand in the way of its decision.

Senhor de Mello-Franco, the delegate of Brazil, presented his Government's position at the third plenary meeting of the Assembly on Wednesday March 17, 1926.[1] He said that Brazilians had been in accord with the principles enunciated in their Government's reply to the German memorandum and noted that Brazil had taken no part in the difficult work of negotiating a solution of the problem which would be acceptable to the various political interests at stake. Brazil preferred, he said, to avoid compromising the fundamental principles of League organization which had been laid down in its reply of December 1, 1924. "We still maintain", he said, "that the reform of the present constitution of the Council is not a matter which concerns certain European states only; we think that this question is of such vital importance to the League that it can not be solved by means of special agreements between individual Members, but that every state without exception must be heard in order that, before a solution is adopted, the views of all may be known.

These principles, which we are proud to have championed, are based on the foundations of the Covenant itself and on the juridical equality of sovereign states."[2] He emphasized that the work of Locarno should be brought within the framework of the League and not the League within the political framework of Locarno. He reaffirmed the Brazilian contention that in virtue of their right as an

[1] *Records of Special Session of Assembly, March, 1926, Plenary Meetings*, p. 25.
[2] *Ibid.*, p. 25.

American nation, they claimed that America should be represented more equitably and more fully on the Council.

The Brazilian instructions, however, were "irrevocable and final" and consequently the veto of Brazil on the Council prevented the plan from being adopted and Germany, of course, refused to be admitted without being given a permanent seat. Thus, the intransigence of Brazil led to the adjournment of the Assembly without having fulfilled the purpose for which it was called. Brazil was criticized severely for insisting upon a permanent seat on the basis of national aspirations for the leadership of Latin America.

Elizen F. de Montarroyos represented Brazil on the Committee for the Composition of the Council which drafted the plan for reallocating Council seats. This was submitted to the Council June 10, 1926.

The Brazilian representative on the same day presented to the Council [1] his Government's views in regard to the composition of the Council. He said that Brazil had defended the thesis of equality of treatment for great and small states in regard to the composition of the Council before the Commission of the Peace Conference in 1919. Certain factors had convinced Brazil that it was necessary to proceed to a reorganization of the Council based upon the principle of equality. These factors were: "The international political evolution which had not ceased as a consequence of the creation of the League of Nations; the development of the legal construction of the Covenant; the gradual substitution of a mentality arising from a state of war by another mentality more consonant with the state of peace; the abandonment of the militarist conception of a great power . . . ; the increase in the number of the Members of the League of Nations."

For these reasons Brazil had again taken up the thesis which it had defended at the Peace Conference. Then he said:

[1] *Official Journal*, VII, p. 887–889.

If there are problems, which more particularly concern Europe and in the solution of which the states of the Continent of Europe have a common interest, it can not be denied that there exist also in America special rules of continental policy, a special organization composed of the American states, a closer cooperation of the interests which they have in common, a union of sister republics, assured by more intimate bonds than those of a mere concert between powers, and, lastly, a doctrine the existence of which has been recognized by Art. 21 of the Covenant.

Without in any way opposing the idea of the unity and universality of international law, it is necessary not to lose sight of the fact that, politically, the separation of the continents is a reality, and that there exist, in respect of the conditions proper to each of them, legal rules having a character which is more continental than universal.

He pointed out that Europe was permanently represented on the Council by three states and would soon have four; Asia with five states in the League had a permanent representative, while 17 Ibero-American states had none. He continued:

Brazil has never claimed the right to represent the other American states on the Council, nor would such a representation be possible.

On the other hand, it is impossible to dispute the right of Brazil to formulate a claim founded on continental considerations, as this right springs from the community of interests, from which it follows that each of the associated parties is at liberty to ask for the necessary legal protection of the above interests. . . .

It is necessary, therefore, to sweep away all ambiguities and to affirm categorically that the object of the Brazilian claim was essentially continental in character, based on the *co-imperium* of the territory of which Brazil is a portion and on the indissolubility of certain interests, without there being any question of a political representation of the other states of the continent.

Senhor de Mello-Franco concluded by renouncing his place on the Council as representative of Brazil.[1] Sr. Guani of Uruguay expressed his regret and said that,

[1] *Official Journal*, VII, 1926, p. 887–889.

although Brazil and Uruguay differed as regards the question of the permanent seats, they were in accord as to the demand that the American Continent should have more equitable representation on the Council.

The Brazilian resignation of the Council seat was not specifically acted upon and on June 12, 1926, the telegram of withdrawal from the League was received by the Secretary General.[1] The Seventh Assembly elected Chile, Colombia and Salvador as the three American states on the Council.

Since withdrawal, Brazil has continued to cooperate in some respects somewhat similar to the way Argentina and the United States have been working with the various League activities. President Washington Luis said on May 3, 1927, that "the withdrawal of Brazil from the League did not signify lack of appreciation for the great ends which that international institution pursues nor disinterestedness in the work which it has realized", and accepted the invitation to attend the International Economic Conference opening May 4, 1927.[2]

The attitude of Brazil regarding the Council crisis was not merely a question of *amour propre* but was also a symptom of the increasing reluctance of non-European states to allow European "powers" to dominate the League and to practically monopolize the permanent seats. The veto of Brazil and its subsequent notification of intention to withdraw was in part a challenge both to European dominance in the League and to the attitude which still persists that Europe is the exclusive champion of civilization, culture, influence, and power.

The reorganization of the Council has not materially changed the situation. It met the desires of the other South American republics but it did not satisfy the demands of Brazil.

At the March, 1928, meeting of the Council, Sr. Urrutia (Colombia), the president of the Council, drew the attention

[1] *Official Journal*, VII, 1926, p. 1004.
[2] *La Nacion*, May 4, 1927, p. 2.

of his colleagues to the fact that Brazil and Spain would cease to be Members in June and September respectively and proposed that the Council invite those countries to continue as Members. The Council adopted a resolution on March 9 authorizing the president to communicate with these two Governments.[1]

The note sent by Sr. Urrutia as president of the Council recalled the rôle which Brazil had played in the League of Nations and in the movement for international peace and cooperation. He noted the problems of a world character which were being dealt with by the League, such as those relating to world economic organization, those of security and the reduction and limitation of armaments and then asked: "Will not Brazil come to the League's aid alike with her idealism and her practical wisdom? Will she discontinue her cooperation in all the other work — technical, intellectual and social — in which she has hitherto taken part as a Member of the League?"[2]

Sr. Urrutia noted that, in view of the fact that he himself was a citizen of one of those countries of the New World which have done so much and may yet do so much to realize the great ideal of international organization and peace, "he felt bound to associate himself with the views of the Council, with especial sympathy."

Spain recalled its notification of withdrawal as a result of this invitation, and its claim for a permanent seat was substantially met through the new provision concerning eligibility for re-election.

The reply of the Government of Brazil to the invitation of the Council was dated April 9, 1928. It said in part:[3]

On June 10 and 12, 1926, Brazil announced her intention of withdrawing from the League of Nations, setting forth fully the grounds for her action. The facts which preceded that decision of the Brazilian Government are well known. The widest publicity was given

[1] *Official Journal*, IX, p. 405.
[2] *Ibid.*, p. 584.
[3] *Ibid.*, p. 778.

to the occurrence in its diverse phases, and to all commentaries aroused by it.

The Government now responsible for the policy of Brazil, duly considering the subject, both from the political and from the moral standpoint, reviewing all the documents of the case, with the sole purpose of being loyal to the duties and responsibilities of this country, finds no determining factor for altering, under such delicate circumstances, a situation which had already been clearly defined, since the contingencies which brought it about are nowise changed.

If, therefore, collaboration with the League of Nations implies permanence as a Member thereof, the Brazilian Government is the first to regret that the present circumstances should not allow such collaboration.

It would appear to me, however, that it is not only by occupying a seat in the Assembly or in the Council that a country can collaborate with the League of Nations. Such countries collaborate as recognize its services to civilization and to humanity. Countries that do honor to the great organizations created by the League of Nations, amongst which the Permanent Court of International Justice stands foremost, and join in the conferences through which the League of Nations strives for universal welfare by working out problems of general interest, rightly consider themselves collaborators. Lastly, it is clear that support is also brought to the League of Nations by those countries that preach and practice, in whatever part of the world they may live, to the utmost of their power the true policy of preserving peace, in no matter what emergency, by the employment of juridical solutions, by their disinterestedness, by their amity and by their spirit of justice and of concord.

Collaboration being thus understood, I beg Your Excellency and the Council to consider my country one of the most devoted cooperators of the League of Nations, and if, in the future, Brazil finds it possible to return thereto, she will only have ground for rejoicing both at the honor of being once more a Member and at the facts in consequence of which her return to that great institution will have been made possible. Brazil sincerely wishes that the blessings of mankind may be showered ever increasingly upon the League of Nations.

Senhor Barbosa Lima Sabrainko in an editorial of the Jornal do Brasil, March 13, 1926, said that "the sentiment of national dignity and justice requires [Brazil] to assume

an attitude of protest. If the national dignity will require our withdrawal from the League, the Brazilian nation will applaud the attitude since it will free us from a European organization where there is little use made of the American nations. About the only use made of the American nations is on the list of contributions."[1]

All official connections with the League were severed on June 12, 1928, when Brazil allowed its withdrawal to become effective. That event removed from the League family the most populous and the largest Latin American nation. It was also the second nation definitely to withdraw from the Geneva organization, the first having likewise been a Latin American nation, — Costa Rica.

Some leading statesmen in Brazil favor a return to the League. In the opinion of certain influential Brazilians, the tactics employed in the Council crisis were diplomatically unfortunate and its withdrawal creates greater disadvantages to Brazil than to the League. Time alone can determine this and furnish the opportunity for Brazil to gracefully retrace its steps if it should so desire.

Chile

Chile was ably represented at the First Assembly of the League by Antonio Huneeus Gana, and M. Manuel Rivas-Vicuña. Señor Huneeus was an outstanding Spanish American delegate at the First Assembly and was elected chairman of the Fifth Committee, which dealt with the admission of new states. He was therefore a vice-president *ex-officio* of the Assembly and a member of the General Committee. During the course of the Assembly he favored the adoption of Spanish as an official language of the League. In considering the application of Costa Rica for admission Señor Huneeus expressed the sincere desire of Chile to see all of the Latin American states Members of the League of Nations.[2]

[1] *Jornal do Brasil*, Rio de Janeiro, March 13, 1926.

[2] *Records of the First Assembly, Plenary Meetings*, p. 582.

In this First Assembly one of the main reasons for Chile's adherence was demonstrated. This reason was recently stated to the present writer by a prominent Chilean in this fashion: "Chile must be there to protect her interests, if and when they are brought up." Early in the session the Bolivian and Peruvian delegations requested that the treaties of 1883 and 1904 with Chile be revised by the League of Nations. Thus, as Luis Barros Borgoño says, "the Problem of the Pacific was for a few hours the enforced topic for discussion at that Assembly."[1]

The Peruvian minister at Paris, M. H. Cornejo, in a letter, November 1, 1920, to the Secretary-General of the League requested to have this matter placed on the agenda of the Assembly. This letter was in part as follows:[2]

> . . . Peru requests the Assembly . . . to reconsider and revise the treaty of October 20, 1883, between Chile and Peru.
>
> In making this request Peru invokes Arts. 15 and 19 of the treaty of Versailles.
>
> The treaty of 1883, which took from Peru the Department of Tarapaca, was imposed and maintained by force, and has not even been carried out by Chile as regards its essential provisions.
>
> This agreement provided that the occupation of the provinces of Tacna and Arica was to be temporary and was to terminate, subject to a plebiscite, in 1893. Since that time Chile has remained in occupation of this territory by force of arms, from time to time expelling Peruvians. . . .
>
> Peru submits this request in agreement with Bolivia, the interest of their two countries being bound together by the history and circumstance of this question. . . .
>
> Numerous facts show that the agreement which Peru is desirous of having reconsidered and amended involves a serious danger of war. The most recent of these events are the forcible expulsion of Peruvians from the conquered and the occupied provinces and the mobilization of the Chilean army, which is concentrated on the frontiers of Peru and Bolivia.

[1] L. Barros Borgoño, *The Problem of the Pacific and the New Policies of Bolivia* (Baltimore, 1924), p. 3.

[2] *Records of the First Assembly, Plenary Meetings*, p. 596.

Peru wishes to reserve the right to place before the Assembly legal evidence in support of its claim.

I would therefore beg you to place this matter upon the agenda of the Assembly, in order that the procedure laid down by the treaty of Versailles may be followed.

The Bolivian delegation in a letter to the Secretary-General of even date (November 1, 1920) likewise requested that the matter be placed on the agenda of the Assembly. In this letter the delegates announced that:[1]

Bolivia invokes Art. 19 of the treaty of Versailles with a view of obtaining from the League of Nations the revision of the treaty of peace signed between Bolivia and Chile on October 20, 1904.

In support of this request, Bolivia, while reserving the rights to offer proofs and declarations at a suitable moment, would submit the following facts:

(1) That the treaty was imposed upon her by force;

(2) Failure to carry out certain fundamental articles of the treaty which aimed at securing peace, for which failure Chile was to blame;

(3) This state of affairs involves a permanent menace of war. This may be proved by the present mobilization of large army corps, which is being carried out by Chile on the Bolivian frontier, in spite of the fact that these countries are at peace;

(4) As a result of the treaty of 1904, Bolivia is now entirely shut in and deprived of all access to the sea.

We wish to state here that we are now acting in full agreement with Peru, with which country Bolivia considers herself bound in this respect by historical and political ties, and by common interests arising from the war and from their alliance of 1879.

Art. 19 of the Covenant, above referred to, provides that "the Assembly may from time to time advise the reconsideration by the Members of the League of treaties which have become inapplicable and the consideration of international conditions whose continuance might endanger the peace of the world."

At the second plenary meeting of the First Assembly, November 15, 1920, the president noted the following

[1] *Records of the First Assembly, Plenary Meetings*, p. 595.

items which had been sent in after October 15, for consideration by the Assembly:

(1) The Peruvian request for the revision of the treaty between Chile and Peru of 1883;

(2) Request of the Bolivian Government for the revision of the treaty between Bolivia and Chile of 1904.

The president remarked that he "should mention as regards the requests of the Peruvian Government and the Bolivian Government that the delegates of these two Governments have informed us that they wish first of all to examine the question between themselves. The discussion of this question by the Assembly should therefore be provisionally adjourned."[1]

It is well known that this action of Peru and Bolivia in not pressing their claims was the result of pressure and pleadings by other delegates to the Assembly. The League had just been born and it was not yet sure of itself or its possibilities. Then, too, the opposition in the United States toward the League and its possible intervention in America was not conducive to any positive policy of attacking American problems, and especially a question which was loaded with so much political dynamite. And so the story goes that statesmen walked the corridors of the League Secretariat at Geneva with the delegates of Peru and Bolivia begging them not to press the issue.

Peru by letter of December 2, 1920, to the Secretary-General, withdrew the request which it had made on November 1.[2] The president of the Assembly at the 26th plenary meeting December 16, 1920, acknowledged the receipt of a communication from the Bolivian delegation "that in view of the fact that the close of the Assembly is very near, and that it is impossible to go into so very delicate a problem here, it provisionally reserves the question raised in its letter of November 1 and requests that this question should be placed on the agenda of the next session of the Assembly."

[1] *Records of the First Assembly, Plenary Meetings*, p. 53.

[2] *Ibid.*, p. 580.

The president, in accordance with Art. 4, par. (e), of the Rules of Procedure, requested the Secretary-General to place this question on the agenda of the next session of the Assembly.[1]

Señor Huneeus for Chile at once protested against this action as being in any way an interpretation of the competency of the Assembly to deal with the dispute between Bolivia and Chile and stated that Chile considered "that neither the League of Nations nor the Assembly could interfere in these affairs."

The *Monthly Summary* of the Information Section of the Secretariat in reporting the provisional agenda for the Second Assembly defined the "request for mediation by Bolivia in its dispute with Chile" as one of the "important questions which the Members of the League will be called upon to deliberate."[2] No mention was made of this paragraph in the agenda; "Chile in letters dated December 17, 19 and 28, 1920, requested that notification should be made of her opposition, by moving the previous question, to the proposal of Bolivia to include this item in the agenda of the Assembly."[3] The Chilean delegation to the League of Nations in a letter dated June 13, 1921, protested against this omission, and in consequence the Secretary-General caused the full text of the agenda item to be inserted in the *Monthly Summary*.

The Chilean letter lodged "a formal protest against even the insertion of this matter in the agenda, on the ground that it was not within the competency of the League of Nations. Thus, in our opinion, the Members of the League will not be called upon to discuss this question; and, further, the request made is not for mediation but for the insertion of a question in the agenda." In reply to the Chilean objection to the insertion of this question on the agenda for the Second Assembly the

[1] *Records of the First Assembly, Plenary Meetings*, p. 580.

[2] *Monthly Summary*, 1921, p. 13.

[3] *Ibid.*, p. 69; *Records of the Second Assembly, Plenary Meetings*, p. 56.

Peruvian Government in its letter of July 29, 1921, to the Secretary-General said: [1]

> The question submitted by the Bolivian delegation to the Assembly is not one of placing a matter on the agenda, since it is sufficient for a delegate to propose a question for it to be immediately placed on the agenda of the Assembly, as is laid down in Art. 4, par. (e), of the Rules of Procedure.
>
> At the sitting referred to, the Chilean delegation raised the previous question with regard to competency and subsequently even declared its intention of opposing the placing of the question on the agenda of the next or of any other Assembly. The situation was made quite clear by M. Hymans in his notes of December 15, 1920, to the Bolivian delegation, and of December 18 to the Chilean delegation.
>
> It is therefore evident that the Bolivian request as formulated, and also the opposition of Chile, must form the subject of discussion by the Assembly, whose duty it will be to take a decision in the matter. Meanwhile, it is desirable that the precise terms of the requests of the two parties should be retained in their present form.

Thus the Tacna and Arica problem appeared on the agenda for the Second Assembly of the League of Nations. Carlos V. Aramayo of Bolivia noted before the fifth plenary meeting of the Second Assembly, September 7, 1921, that in a "note addressed to the Secretary-General on November 6 the Bolivian delegation pointed out that its object was rather to bring about a general investigation of the situation, and that the revision of the treaty was but a means to that end. . . . To-day the people of Bolivia look to the League of Nations not for redress . . . but at least for a measure of justice. There can be no hope of lasting peace on the continent of South America while the situation of to-day is allowed to endure." [2] He goes on to assert that a denial of the competency of the Assembly to deal with the matter "would amount to a negation of the League's very reason for existence."

[1] Document A. 11. 1921.

[2] *Records of the Second Assembly, Plenary Meetings*, p. 49.

Demetrio Canelas, another Bolivian delegate, in an address before the Assembly said: "In reality, Chile refuses to recognize any intervention on the part of the League of Nations in the affairs of the New World. It is thus not only Bolivia's request which is at issue, but the whole question of what the sphere of the League of Nations should be." He argued for the submission of the matter to a committee of examination and concluded: "Should we find, in this case, when we are only asking for the application of the Rules of Procedure, that the doors of the Assembly are closed against us, we shall be forced to the conclusion that we entered the League of Nations relying on false illusions."[1]

Chile opposed energetically and very ably the revision of the treaty of 1904 by the League. Great credit is due to the Chilean delegation and especially to Agustín Edwards for the able argument presented September 7, 1921, before the Assembly. Señor Edwards questioned the competency of the League "to revise treaties, and especially treaties of peace."[2] He declared that the request was "in flagrant contradiction to the first principles of the law of nations and with the essential objects, the letter and the spirit of the Covenant of the League of Nations. The international political and legal system upon which the relations of all civilized people are based . . . would utterly collapse." He analyzed the meaning of Art. 19 of the Covenant.[3] If the grounds of Bolivia were well founded, he said, "the League would be faced with the task of remaking the map of the world."

The president proposed that further discussion of the matter be postponed to a later meeting.

The question of the relevancy of Art. 19 of the Covenant was taken up at the 22d plenary meeting, September 28, 1921, when a special committee of jurists, appointed by the General Committee of the Assembly, made its report.

[1] *Records of the Second Assembly, Plenary Meetings*, p. 50, 52.

[2] *Ibid.*, p. 45–49.

[3] On this point see also the legal authorities in Borgoño, *op. cit.*

This committee consisted of M. Vittorio Scialoja (Italy), M. Urrutia (Colombia) and M. Manuel de Peralta (Costa Rica).[1] The report was favorable to Chile and decided [2] that, in its present form,

> The request of Bolivia is not in order, because the Assembly of the League of Nations can not of itself modify any treaty, the modification of treaties lying solely within the competence of the contracting states.

Following a statement by the Chilean delegate, Sr. Aramayo, the Bolivian delegate, stated that the petition would be presented anew at a later date. Sr. Aramayo then read a note in which it was declared that:[3]

> The Bolivian delegation regrets that the committee thought fit to express an opinion on the question whether this request was in order or not, a question which had not been submitted to it, more especially as the committee, taking into account certain expressions of doubtful meaning in the request of November 1, 1920, does not seem to have paid attention to the supplementary documents, viz., the letter of November 6, 1920, and the memorandum of September 12, 1921, in which the true meaning of the Bolivian request was set forth.
>
> It was clear from these documents that the Bolivian Government had no intention of asking the League of Nations to proceed, of itself, to an immediate revision of the treaty of 1904, but that it simply desired that the League should ascertain, by means of a searching inquiry, whether the situation justified an invitation to the two states to proceed to a further consideration of the treaty for reasons laid down by the Covenant itself. . . .

Sr. Aramayo, referring to the Chilean statement of readiness to open direct negotiations with Bolivia, said: "If Bolivia agreed to resume the conversations which had not yet been able to achieve results, it would only be under the aegis and moral sanction of a high tribunal such as that represented by the League of Nations."

[1] *Records of the Second Assembly, Plenary Meetings*, p. 261.
[2] *Ibid.*, p. 466.
[3] *Ibid.*, p. 468.

Lord Balfour of the British Empire expressed the sentiment of the League in this matter when he said, in referring to the possible repetition of the Bolivian demand, that: "We may surely all hope, and hope with profound confidence, that that necessity [of renewing an appeal to the League of Nations] will never again arise." The president closed the subject by recording that "the dispute can no longer be discussed here" since the Bolivian request was withdrawn. All would follow the joint efforts of the parties to settle the question.

With that the problem of the Pacific was considered a closed incident so far as the League was concerned. Chile, however, realized that there was always a possibility that the question might be put upon the table at any time inasmuch as every Member has, as Mr. Balfour said, an inalienable right to present an appeal to the League for consideration.[1] Thus Chile, having entered the institution in a rather hasty manner, found itself at the very outset called upon to defend itself. True, it received a favorable decision but the incident revealed the danger of a different decision at another time, under different circumstances.

Since 1921 Chile has remained in the League and has continued to consistently cooperate through it. One influential Chilean expressed the opinion to the writer that he believed that the League had been pampering them. At any rate, Chile has been quite fortunate in its relations with the Geneva institution, and there has been no reason, which would suggest the idea of a withdrawal or any excuse which would justify a retirement.

Chile has been represented at Assemblies of the League by its diplomatic agents accredited to various European Governments, although they have been supplemented at times by persons outside of the diplomatic service.

Agustín Edwards, envoy extraordinary and minister plenipotentiary in London and former President of the

[1] Through the good offices and suggestions of the United States, diplomatic relations were resumed between Peru and Chile in 1928 and a settlement of this long standing dispute was effected by direct negotiations. The settlement was announced by President Hoover in May, 1929.

republic, headed the Chilean delegation to the Second, Third and Fourth Assemblies while the Chilean ministers at Bern and Vienna were the other delegates. Alejandro Alvarez, the secretary of the American Institute of International Law, was associated with the delegation to the Second Assembly. Señor Edwards in the Second Assembly was elected chairman of the Fourth Committee (Finance and Internal Organization) and was consequently ex-officio vice president of the Assembly. In the First Committee he voiced the unanimous opinion of Latin America when he urged a larger representation for America on the Council of the League.[1]

Manuel Rivas-Vicuña occupied himself in the Second Committee with questions of the Health Organization. Before the Third Committee, which considered the problem of armaments, he pointed out that Chile was one of the four nations that had ratified the convention of Saint Germain-en-Laye relative to the manufacture of and traffic in arms and munitions, and brought to the attention of the committee the agreement which Chile had made with Argentina, May 28, 1902, concerning the limitation of armaments.[2] He outlined for this committee the attitude which his Government was to pursue regarding the question of disarmament. He advocated regional agreements on armaments and suggested "that an attempt might be made to confine these agreements to certain parts of the world" and thus "form in the world large tranquil zones."[3] Thus he urged that the idea of regional agreements was the most feasible and practical solution of the intricate and difficult problem of armament. This was different from the Brazilian attitude which we have already considered.

Sr. Alvarez in the First Committee urged a complete revision of the Covenant.[4] Such an attempt to redraft the whole structure was deemed to be inadvisable and

[1] *Records of the Second Assembly, Meetings of the Committees*, I, p. 120.

[2] See World Peace Foundation, IV, No. 5, p. 404.

[3] *Records of the Second Assembly, Meetings of the Committees*, I, p. 402.

[4] *Ibid.*, p. 114.

premature, and the proposal was reserved for the next Assembly, where it did not reach the agenda. From the records of the meeting and his writings before and after the 1921 Assembly, one can reasonably assume that his views were personal rather than part of the official program of the delegation.

When the Council and Assembly came to elect the judges of the Permanent Court of International Justice, Sr. Alvarez was a nominee for that position. By the voting in the Assembly, he was chosen by the requisite absolute majority first for judge and then for deputy judge. The Council, however, had not selected him. By the concurrent ballotings of the Assembly and Council 11 judges and three deputy judges were chosen, there being one deputy judge to select. The Assembly voted for Sr. Alvarez and the Council for Baron Descamp (Belgian). Consequently a joint conference was required in order to arrive at an agreement. This committee was composed of three members of the Assembly and three members of the Council, each group elected by their respective bodies. The Assembly selected Motta (Switzerland), Van Swinderen (Netherlands), Zahle (Denmark), while the Council appointed Hymans (Belgium), De León (Spain) and Koo (China). As a result of this joint conference M. Beichmann (Norway) finally was elected instead of either Sr. Alvarez or Baron Descamps.[1] The consistent majority which Sr. Alvarez received in the Assembly balloting was attributable in part to the votes of Latin American states.

The next year (1922) Sr. Edwards, president of the Chilean delegation, was elected president of the Assembly. Mere observation from then on has been replaced by ardent cooperation. The position and prestige of Chile had been raised in the family of nations, and to the Chileans the selection of their first delegate to the high position of presidency of the world congress was not only a great honor but a recognition of the position which Chile holds

[1] *Records of the Second Assembly, Plenary Meetings*, p. 251 *ff.*, 272, 281.

in the world. In referring to the distinction which the Assembly had bestowed upon the American nations by electing him to that high position, Sr. Edwards, in accepting the honor, said: "The American nations . . . can not but feel lively satisfaction at receiving from the Assembly a proof that they are regarded as an essential factor in the maintenance of international peace and justice and in shaping the destinies of the world."[1]

In 1923 the International American Conference which met at Santiago refused to create an American League of Nations. By this time Chile was not as strong an advocate of an American League as it had apparently been in the early days of 1921. Chile expressed through Sr. Edwards, its chief delegate, the position that the American institution, whatever it might be, should not be in any way opposed to the League.

Chile, enjoying an enhanced prestige, entered more actively into the deliberations of the Fourth Assembly than during any previous one. Sr. Edwards again headed the delegation. Before both the Assembly and the Third Committee of the Fourth Assembly he developed the Chilean thesis regarding armament with marked ability and unusual clarity. He pointed out that the problem of disarmament in America is entirely different from what it is in Europe. On September 7, 1923, he noted before the Third Committee that "in Europe the problem of the reduction of armaments is a political and an economic one, whereas in Latin America the economic outweighs the political aspect of the question." He drew a comparison between Spain and the A. B. C. group. In 1922, he said, Spain had spent £27,647,000 on naval and military armaments. In 1921 Argentina had spent £7,447,000, Brazil £5,215,000, and Chile £4,254,000, a total of £16,916,000. The three had spent only 60% of what Spain alone had appropriated for military purposes. In 1921 the 17 other Latin American countries had spent £26,498,000, making a total for all American Member States of only £43,414,960.

[1] *Records of the Third Assembly, Plenary Meetings*, p. 24.

The 20 countries of Latin America spent an amount approximately equal to the combined expenditure of the three Scandinavian countries and Spain, four neutral and comparatively unarmed countries. He indicated that the burden of armament per capita was four times as heavy in the case of the least armed countries of Europe as in that of the most fully armed countries of Latin America and pointed out, therefore, that the armament was not in proportion either to their territories, population, trade or resources.[1]

During the 1923 meetings there were many reflections from the Santiago Conference of American States. In a speech before the sixth plenary meeting of the Assembly September 12, 1923, Sr. Edwards indicated that the Santiago conference had accomplished little in regard to armament; in fact, it had nothing to accomplish. "The problem, as it presented itself to the American continent was not," he said, "as in Europe, one of special urgency; it resolved itself merely into the question of discovering means to prevent the competition of armaments from spreading to America. When the Chilean Government placed this question on the agenda of the Pan American Conference it had in mind, not so much a reduction of armaments, as the possibility that they might increase in the future."[2] He pointed out that 17 of the 20 republics were in fact disarmed and the three other states, although they had naval and military forces, had a policy essentially pacific. He called attention to the fact that Chile and Argentina had settled all of their international disputes by means of arbitration, while Brazil had practised arbitration since the beginning and had even embodied the principle in its Constitution. He reminded the Assembly that the situation aimed at by the treaty of mutual guaranty, which was then before the Third Committee of the League, was the establishment in Europe of what had been a fact in America for a century.

[1] *Records of the Fourth Assembly, Minutes of the Third Committee*, p. 13 (*Official Journal*, Spec. Sup. No. 16).

[2] *Ibid., Plenary Meetings*, p. 36 (*Official Journal*, Spec. Sup. No. 13).

The Chilean interpretation of the obligation under Art. 10 of the Covenant was brought out by Sr. Edwards during the discussion in the First Committee on the Canadian amendment. He urged that, "in order to decide what share each country should take in any action for the maintenance of the present territorial integrity and political independence of all Members of the League, it was essential to take account of the political and geographical situation of each. The Chilean view was that, without the approval of Parliament, the country never had been, and never would be, obliged to commit any act of war in fulfilment of the obligations imposed by Art. 10 in its present form; for it had never at any time been possible for Chile to contract an international obligation in contravention of her Constitution."[1]

Before the First Committee Chile again took up the Latin American contention for increased Latin American representation on the Council. A change proposed two years before had been supported by the Latin American and Canadian representatives. Chile suggested on September 25, 1923, that Brazil and Spain be given permanent seats on the Council and stressed the importance of rotation for the nonpermanent members.[2] To the objection of M. Politis that this would make the Council too large to function properly, Sr. Edwards replied that, although that objection might hold good so far as Europe was concerned, it did not apply to America, where the Administrative Council of the Pan American Union comprised 21 members and yet fulfilled its purpose admirably.[3]

Chile proposed at the tenth plenary meeting a resolution that the Assembly [4]

> Invites the Governments of the States Members of the League to give favorable consideration, as regards travel by land or water and

[1] *Records of the Fourth Assembly, Minutes of the First Committee*, p. 13 (*Official Journal*, Spec. Sup. No. 14).

[2] *Ibid.*, p. 37.

[3] *Ibid.*, p. 39.

[4] *Ibid., Plenary Meetings*, p. 57.

passport and customs regulations, to the question of the facilities they can provide for those groups of Boy Scouts and Girl Guides which belong to a registered national Boy Scout Association of any state Member of the League, when such groups are traveling from the territory of one state Member to or through the territory of another state Member.

This was favorably reported by the Fifth Committee, of which Sr. Valdes-Mendeville of Chile was rapporteur, and was adopted by the Assembly.[1] At the next Assembly Belgium, Bulgaria, China, Czechoslovakia, Greece, Hungary and Italy reported that they were prepared to grant a reduction of railroad fares to Boy and Girl Scout groups by as much as 50%. No Latin American Government, however, had acted favorably regarding the proposal.

At the Sixth Assembly (1925) Chile was represented by Emilio Bello Codesido, Enrique Villegas and Elidoro Yañez — all eminent statesmen and diplomats. Two important proposals were presented by the Chilean delegates at this Assembly.

One related to a conference of press experts to consider means whereby the press of the world might cooperate in the work of disarmament and peace. This proposal may have been the outgrowth of the resolution of the Fifth Pan American Conference in 1923 providing for a Pan American Conference of Journalists, which was to meet in Washington the following April. Sr. Yañez stressed the importance of the unifying influence of the press as a guide to public opinion and its moral influence over Governments. His resolution invited the Council to convene a committee of experts of the press to insure more rapid and less costly transmission of news with a view to reducing risks of international misunderstandings.[2] This was adopted by the Assembly, September 25, 1925,[3] and resulted in an important Conference of journalists in 1927 which had far-reaching effects.

[1] *Records of the Fourth Assembly, Plenary Meetings*, p. 122.
[2] *Records of the Sixth Assembly, Plenary Meetings*, p. 90.
[3] *Ibid.*, p. 138.

The other Chilean proposal likewise concerned means of developing public opinion as the best and most practical method of bringing peace. This proposal invited the Council "to submit to careful consideration the replies already received by the Secretariat concerning the instruction of children and youth in the principles of peace and the ideals of the League of Nations, with a view to convening, if necessary, a conference of school teachers to study the best means for creating a spirit of world fraternity in schools."[1] It might be noted in this connection that the Fifth International American Conference had adopted a number of resolutions on education of which one called for a university conference and another suggested that the curricula of the primary schools include a course on "continental fraternity." The Educational Section of the Pan American Union had been devoted to this purpose for a number of years.

The Chilean proposal, together with similar ones presented by Haiti, Poland and Uruguay, was referred to the Committee on Intellectual Cooperation in order that it might prepare a program as to the best means of carrying out the proposition. Permanent coordination of such educational activities has resulted.

During the following years circumstances in the League were not as favorable to Chile as during 1923 to 1925. Although the ardor shown for the League by its plenipotentiaries did not cool, it did not prove interesting to the average Chilean. There was voiced occasionally a doubt as to the utility of the League to Chile, as in the Chilean Congress of 1926 when the advisability of expending 600,000 gold pesos annually on the League was questioned. The minister of foreign affairs assured the Legislature that he would endeavor to keep to a minimum the expenses for the League by selecting in so far as possible representatives who were in Europe to act as delegates to League meetings.

Chile had given its adherence to the League in a spirit of collaboration for betterment of the world. It was

[1] *Records of the Sixth Assembly, Plenary Meetings*, p. 395.

convinced that the League was a step in advance in the attempts to avoid war. Chile did not expect to play a predominant rôle in the League and hence did not consider the League relationship to involve a question of *amour propre*. Its chosen rôle was to lend every effort to the development of the League in conformity with American ideals without taking an uncompromising stand for a definite type of reorganization.

Chile has remained loyal to the idea of continentalism from the beginning. The Government in accepting the Covenant, March 19, 1919, affirmed "the principles that constitute American rights proclaimed in all of the Pan American Congresses." Sr. Huneeus, first Chilean delegate to the First Assembly, in an interview with the correspondent of *La Nación* November 24, 1920, said that: "We are animated by the proposition to proceed to the performance of our task, in accord with the other South American Governments . . . in the affairs which concern the politics and commerce of our continent, round about which exists a unity of interests."[1]

Chile has always cooperated with Latin Americans in the League. In 1925 it renounced a Council seat in favor of Brazil with the understanding that in 1926 the system of rotation would be inaugurated. In 1926 it supported the stand of Brazil for a permanent seat, feeling that such a procedure would enhance American influence and prestige in the League and be a step toward a more equitable equilibrium between Europe and America. With the intransigent attitude of Brazil and its subsequent withdrawal from the League, Chile became the logical and undisputed American candidate for a Council seat in 1926. Its election added a new cause for interest in the League. Chile considered the Council as reorganized in 1926 with three American members a great improvement over the previous make-up.

Enrique Villegas, the minister at Paris represented Chile on the Council during its term, 1926–29. As a representative on the Council he served as rapporteur on the super-

[1] *La Nación*, Buenos Aires, November 25, 1920, p. 1.

vision of the private manufacture of arms and ammunition, the manufacture of aircraft in the territory of the Free City of Danzig, the expenses in connection with the post of the High Commissioner for Danzig, the municipal loan for Danzig, a port d'attache for Polish warships for storage and transport of war material in Danzig, settlement of Armenian refugees and the Preparatory Commission for the Disarmament Conference.

We can say that Chile has been consistent in two respects regarding its membership in the League of Nations. First, it has steadfastly insisted that American problems should be reserved for solution in America unless all parties concerned agree otherwise; and, secondly, it has maintained that the Geneva institution is a step in advance in the accumulation and organization of statistical, sociological, juridical, intellectual and economic information, and hence deserves hearty collaboration.

Argentina

The relations of Argentina with the League of Nations are the most uncertain of any nation in Latin America. They have been complicated by a conflict between internal and external considerations, more marked than in any other of the republics south of the Rio Grande. Politically, Argentina has been in a state of flux during the existence of the League of Nations, and this fact has left its mark upon the policy of the Government. The amount of participation has been small and, therefore, easy to evaluate, but any attempt to explain the policy of the Government is difficult.

Argentina through its diplomatic representative at Paris gave notice of its adherence to the Covenant of the League on July 18 and 29, 1919.[1] It was represented at the First Assembly by Honorio Pueyrredon, minister of foreign affairs, Marcelo T. de Alvear, minister in Paris, and F. F. Perez, minister in Vienna. There has been considerable discussion regarding the position of this Argentine dele-

[1] *Official Journal*, I, p. 13–14; see *supra*, p. 47.

gation since the legislature had not approved the Covenant.[1] The Argentine delegation was admitted without any doubts being expressed regarding the powers or credentials of the Argentine delegation. This was natural.

The unconditional adherence of Argentina to the Covenant was made by the ordinary method of procedure. The Chief Executive is the qualified authority to conduct the foreign relations of the country and the Secretary-General of the League had no reason for questioning his action but accepted it as that of the Government. Even if there were doubt on this point, the Legislature authorized the President, without reservation, to accredit delegates with full powers to the Assembly. The attitude of the Assembly was, therefore, that the powers of the Argentine delegates were in due form. This was evidenced by its acceptance of the credentials and by the election of Sr. Pueyrredon as vice-president of the Assembly.

This was in accordance with practice:

> It is not the business of one government to interpret the constitutional limitations of another, or to take notice of them without authentic information. Recognition of a foreign government, even if only as a *de facto* government, implies recognition of its ministers and diplomatic representatives as authorized agents. Authorities being once verified as in due form, there can be no question of going behind them into matters of domestic politics. As a matter of fact the greatest trouble of diplomatists has often been in dealing with nominally autocratic rulers whom their ministers had no power to bind, and whose final decision might depend on the person who last had the opportunity of button-holing them. With a parliamentary government one can see the machine at work. But in the strict theory of international law the government of every state is as regards every other state an indivisible and impenetrable monad.[2]

[1] According to Art. 86, Sec. 14, of the Constitution of Argentina the President makes and signs treaties with foreign countries, but Art. 67, Sec. 19, gives Congress the power to approve or reject the treaties concluded with other nations. (José Ignacio Rodriguez, *American Constitutions*, I, p. 115, 124; República Argentina, Diario de Sesiones (Anexos) (Buenos Aires, Imperial del "Commercio del Plata", 1860).

[2] Pollock, Sir Frederick, *The League of Nations*, London, 2d edition, p. 100.

The Report of the Secretary-General on the Work of the Council was brought to debate at the fifth meeting of the Assembly November 17, 1920. Sr. Pueyrredon in his speech referred to "diplomatic belligerency," which left an unfavorable impression. He proceeded to develop the idea of a universal league and said the Argentine republic regarded it as essential that all sovereign states should be admitted to the League of Nations. Sr. Pueyrredon proceeded to submit a brief summary of the principles which Argentina had followed in international affairs both in time of peace and during the late war, in order to emphasize the harmony between those principles and the point of view he was about to indicate. Regarding the admission of all states, he said:[1]

> The strength of the League lies in the incorporation of the greatest number of Members; the fewer the states outside it, the more numerous will be those submitted to its discipline and ready to carry out the duties which it imposes upon them. The non-admission of certain countries might be the cause of dangerous antagonisms . . . The League would appear, quite unjustly, to be an alliance formed to conclude the late war, and not, as it is in reality, a powerful organization to maintain peace.

He did not propose a motion or resolution embodying the principles which he enunciated. Instead he said: "We are speaking merely on behalf of principles." In Argentine opinion it was necessary that the election of all the Members of the Council be by the Assembly in conformity with the principle of the equality of states. He favored compulsory arbitration and declared that Argentina was a partisan of a court of justice equipped with judicial powers. His Government considered it absolutely essential that the League of Nations should contemplate the creation of a permanent organization for economic cooperation between states in order to safeguard and improve the conditions of the people of each country.

[1] *Records of the First Assembly, Plenary Meetings*, p. 90.

None of these proposals was new. The first idea, — that of universality — was considered in the well-thought-out and elaborate Swiss plan submitted to the Swiss Federal Assembly, August 4, 1919.[1] This is also true of equality of states. The plan for rotation appeared in the Danish plan proposed March, 1919, and presented to the First Assembly.[2] Norway had proposed a detailed project in March, 1919, for complete arbitration which was officially presented to the First Assembly.[3]

The Fifth Committee (admission of new Members) elected as its chairman Antonio Huneeus Gana of Chile. The Argentine delegate on the committee was Señor Pueyrredon. The chairman announced at the second meeting, November 30, that the Secretariat had received a proposal from Argentina to the effect that states which had not been admitted to the League might, with the consent of the Council, sit in the Assembly without being entitled to vote, and proposed to reserve this question.[4] At the fifth meeting, December 2, the chairman read the proposal submitted by the Argentine delegation as follows:[5]

> The strength of the League of Nations depends on its including the greatest possible number of states; the fewer the states outside it, the greater will be the number of the Members pledged to carry out its discipline and to perform the duties which it imposes. The non-admission of a number of states might lead to dangerous antagonisms, be the cause of the formation of a League of States outside the League in rivalry to it, and lead to constant anxiety for the peace of the world.
>
> The Argentine delegation, therefore, proposes: That all sovereign states recognized by the community of nations be admitted to join the League of Nations in such a manner that if they do not become Members of the League this can only be the result of a

[1] *The Swiss Commentary on the Covenant*, p. 104 (this Series, III, No. 3).

[2] *Records of the First Assembly, Meetings of Committees*, I, p. 68.

[3] *Ibid.*, p. 73.

[4] *Ibid.*, II, p. 160.

[5] Item on records: "The committee took note of this document," *Records of the First Assembly, Meetings of Committees*, II, p. 224.

voluntary decision on their part. (Signed) H. PUEYRREDON. December 4, 1920.

At the sixth meeting, December 4, Chairman Huneeus [1] pointed out "that Sr. Pueyrredon's motion was for the Assembly to deal with and that the committee could not take any decision in respect of it." But in giving his opinion on the order of day, he placed before Sr. Pueyrredon's proposal one of Lord Robert Cecil, though it was never taken up. Sr. Pueyrredon did not enter into the discussion during the nine meetings up to December 13, 1920.

At the twelfth plenary meeting, December 2, when the report of Committee No. 1 on amendments to the Covenant was before the Assembly for discussion, neither Sr. Pueyrredon nor any of the Argentine delegation expressed any opinion regarding the report,[2] which recommended that the proposed amendments to the Covenant, — those of the Danish, Norwegian and Swedish Governments, — should be referred to a committee for report before the next Assembly. The Argentine delegation had not then presented its motion to the Committee.[3]

The Assembly voted a resolution embodying the recommendations of the first committee, with Argentina and Paraguay dissenting. Sr. Pueyrredon then remarked that he had voted against the motion because it did not permit amendments to the Covenant to be discussed during the course of the present Assembly.[4] M. Viviani of France pointed out that unanimity was not necessary for a vote on a question of procedure. To the statement of the president that this was a question of procedure which could be settled by a simple majority, Sr. Pueyrredon agreed.[5]

[1] *Records of the First Assembly, Meetings of Committees*, II, p. 189.

[2] *Ibid., Plenary Meetings*, p. 248–260.

[3] *Ibid.*, p. 246.

[4] *Ibid.*, p. 260; for explanation of the Paraguayan vote, see p. 262.

[5] It was generally understood that there was a disagreement among the Argentine delegates, of whom Sr. Pueyrredon was the only one in the Assembly at the vote. Sr. Perez did not attend and Sr. Alvear left a few minutes before the vote was taken. (*La Nación*, December 4, 1920.)

At the 13th plenary meeting, December 4, the president read the following proposal from the Argentine delegation:[1]

> That all sovereign states recognized by the community of nations be admitted to join the League of Nations in such a manner that if they do not become members of the League, this can only be the result of a voluntary decision on their part.

The discussion on the motion was referred to the next meeting in accordance with the Rules of Procedure; to this Pueyrredon did not object. Under exceptional circumstances, the Assembly may place additional items on the Agenda and by a two-thirds majority of the Assembly may consider it immediately, but this was not requested. That same day, Sr. Pueyrredon handed M. Hymans, president of the Assembly, the Argentine notification of withdrawal.

Two days later at the next plenary meeting, December 6, the letter of withdrawal of the Argentine delegation was read to the Assembly. In this letter the president of the Argentine delegation, — for the letter was signed by Pueyrredon alone, — said that his country "agreed, unhesitatingly, to participate in the work of the League. . . . We accordingly prepared a series of drafts, which were expounded in the statements read in the plenary Assembly on November 17. In these drafts, certain amendments to the Covenant were proposed."[2]

The letter continues: "These were our proposals: admission of all sovereign states; admission of small states, but without the right of voting; the Council to be constituted by election on democratic lines; obligatory submission of disputes to the courts of arbitration and justice. *All these amendments* . . . were presented by us to the Assembly as Argentina's contribution to the great work."

It is extremely difficult to follow Sr. Pueyrredon in this matter. It is equally difficult to follow his logic that "we [Argentina] should be lacking in consistency if, after

[1] *Records of the First Assembly, Plenary Meetings*, p. 261.
[2] *Ibid.*, p. 276.

having firmly upheld certain principles in our declarations and in the committees, we failed to adopt the only course which appears to us to be reconcilable with the convictions which induced the adhesion of our Government to the great idea of a League of Nations.

"The chief aim of the Argentine Government in sending the delegation, of which I have the honor to be head, was to cooperate in the work of drawing up, by means of amendments to the Covenant of the charter, in which we hoped it would be possible to embody the ideals and principles which Argentina has always upheld in international affairs, and from which she will never deviate. When once this aim has disappeared, owing to the postponement of the amendments, the moment has arrived for Argentina's cooperation in the work to cease. The adoption or rejection of the lofty principles contained in the amendments which have been presented to the League would have served to demonstrate to our country, and to public opinion, by what permanent rules of conduct the League of Nations was likely to be guided."[1]

This attitude would seem to indicate inexperience in the workings of international conferences. It is true, as Lord Robert Cecil pointed out, "that if every member of the Assembly were to take the line which the Argentine delegation has taken, no progress would have been possible. No Assembly can exist; no Assembly can function, if, because some decision as to the procedure on a particular resolution is arrived at, the author of that withdraws all his assistance from the deliberations of the Assembly."[2]

It is difficult to understand the motives of the Argentine President for the policy which was pursued in regard to the League of Nations. The following are some of the factors which undoubtedly influenced him, although it is impossible, as yet, to attempt an evaluation of the importance of each: Lack of information; failure to have a critical study of the Covenant made from the Argentine point of view; failure

[1] *Records of the First Assembly, Plenary Meetings*, p. 277.
[2] *Ibid.*, p. 278.

to formulate a definite plan or definite proposal embodying the President's ideas; desire to act as the spokesman for the Latin American countries in the League;[1] the presence of Brazil on the Council and the impossibility of Argentina being accorded a seat under the Covenant in its original form; the doubt expressed by many people in Argentina; the disapproval by many Argentinians of the lone rôle played by the President contrary to the Constitution; the independence of Irigoyen; and the objections in the United States to the League and its refusal to ratify the Covenant.

The Argentine motion and the Canadian motion, both of which had been presented December 4, were taken up December 6, after the Argentine delegation had withdrawn. Mr. Branting of Sweden moved that the amendments be referred to the Committee on Amendments, which would study all the amendments and report to the Second Assembly.[2] The Assembly adopted the motion, and the Argentine amendment, together with all others, was accordingly referred to the committee.

The Secretary-General sent a note to Argentina, January 22, 1921, asking if it wished all or part of the other propositions which were not officially presented by the Argentine delegation to the Assembly also considered by the Committee on Amendments.[3] Sr. Pueyrredon replied two months later, March 31, 1921, that all had been presented officially by the Argentine delegation and that he simply wished to correct the error.[4] To this the Secretary-General replied May 20, 1921, in detail as to each proposition and showed that the only official proposal before the Assembly was that of December 4, 1920. He said that suggestions had been made before the committees and that propositions to committees could in no way be considered as having been presented as proposals for amendments to the Covenant.[5] With this, the matter was dropped.

[1] Note of October 16, 1920, to Colombia.

[2] *Records of the First Assembly, Plenary Meetings*, p. 280.

[3] República Argentina, *Memoria de Relaciones Exteriores y Culto*, 1921–22, p. 47.

[4] *Ibid.*, p. 48.

[5] *Ibid.*, p. 50.

The Second Assembly considered the Argentine proposal in conjunction with other amendments. At the first meeting of the First Committee, Sr. Urrutia of Colombia proposed the postponement of its consideration until the arrival of the Argentine delegation. He said that all American countries wished to see the League of Nations undergo a liberal and progressive evolution and, for that reason, they favored the Argentine proposal.[1] However, the Colombian proposal was rejected and the Argentine delegation did not arrive in Geneva during 1921. Sr. Edwards of Chile stated that he had instructions to support the Argentine proposal. The Rumanian delegate said the Argentine proposal was not simply an amendment to the Covenant, it was a fundamental transformation of the spirit of the League and pointed out that to oblige a nation to become a member would be a derogation from its sovereignty. M. Noblemaire (France) said it would destroy the very essence of the League, which would then rest upon an absolutely different basis from that which its founders had intended. Dr. Fernandes (Brazil) pointed out the difficulty of such a provision in view of the sanctions. "Practically", he said, "the situation would be that a state had undertaken, without any act of its own will, but by an act to which it was completely a stranger, obligations, the failure to observe which would result in the sanctions. This would be an absurdity, a legal impossibility. The Argentine proposal consequently could not be accepted, either at the present time or in the future."[2] At the second meeting Dr. Fernandes' draft report harmonizing the divergent views was adopted.

The report of the First Committee stated that, ". . . the Argentine Republic was undoubtedly actuated by the highest motives . . . and if the actual moral and political conditions of the world were of a nature to support the ideal, . . . the difficulties of a purely legal value, . . . might perhaps be removed." It pointed out the difficulty that "the actual quality of 'Sovereign states recognized

[1] *Records of the Second Assembly, Meetings of Committees*, I, p. 10.
[2] *Ibid.*, p. 8.

by the community of nations' . . . does not express a well-defined idea. . . . Some states are recognized *de facto* and not *de jure*; some are recognized only by certain other states." It concluded that "the idea of universality, . . . which, in theory, deserves full approval, appears nevertheless to be incompatible with the actual conditions of the world, and can not therefore be accepted at the present." [1]

M. Scialoja (chairman of the First Committee) reported at the 30th plenary meeting of the Second Assembly in favor of postponement, first, because conditions might change, and, second, because the regrettable absence of Argentine delegates would prevent discussion of their motion, which was worthy of the most thorough consideration. The following resolution was adopted unanimously by the Assembly:[2]

> Though several of the difficulties involved in the Argentine proposal might be remedied by textual changes, the committee reluctantly states its opinion that, in view of the regrettable absence of the delegation of the Argentine Republic, and until the principle contained in its proposal can be accepted, any decision on the amendment moved by the Argentine Republic should be postponed.

President Irigoyen in his message to Congress May 20, 1921, simply stated that because of the non-acceptance of the ideas which it held to be essential, the Argentine delegation had withdrawn from the Assembly.[3] This is the last document appearing in the *Memoria* and it can be assumed that the matter was considered closed. Nothing appears in the documents for the following year while the next document referring to the situation was the message of the President to Congress June 6, 1923.[4]

During the remainder of his term of office, President Irigoyen apparently ignored the League of Nations.

[1] *Records of the Second Assembly, Meetings of Committees*, I, p. 181.
[2] *Ibid., Plenary Meetings*, p. 818.
[3] *Revista Argentina de Ciencias Politicas* (Buenos Aires, 1921), Tomo XXII, p. 212.
[4] *Memoria*, 1923, p. 36.

Argentina failed to meet its budget quota and did not cooperate in any League activities. It even refused to participate in the International Labor Conference in 1921 and 1922, and did not send the answers, which were prepared, to the questionnaire sent out by the International Labor Office.[1]

When Dr. Marcelo T. de Alvear became President in 1922, many thought that the unusual position of Argentina in regard to the League of Nations would be regularized. Dr. Alvear had been a member of the delegation to the First Assembly and had not approved of the withdrawal.[2] President Alvear urged Congress, June 2, 1923, to provide an appropriation for the payment of the Argentine quota to the League budget. This was provided for and on June 10, 1924, Argentina paid its back contributions, including contributions toward the budgets of 1922 and 1923, although Argentine quotas had not been included in them.

President Alvear in a special message to the Congress on August 19, 1924, presented the question of the adherence of Argentina to the League of Nations.[3] The Committee of Foreign Affairs considered the President's message on August 29, 1924, and on September 17, 1924, reported a resolution to the effect that it was premature to take definite action on such an important matter.[4] The next year the committee considered the League question on July 17, 1925.[5] It was further postponed on two successive occasions.[6] In the session of 1926 the Argentine status in the League was finally taken up by the committee a few days before the close of the session, but again no action was taken.[7] In his repeated recommendations President Alvear

[1] *La República Argentina en la Organización Internacional del Trabajo*, Ministerio de Relaciones Exteriores y Culto, 1925, p. 75, 91, 95.

[2] *La República Argentina ante la Liga de las Naciones*, Ministerio de Relaciones Exteriores y Culto, 1922, p. 213, 237.

[3] República Argentina, *Diario de Sesiones de la Camara de Diputados*, 1924, p. 337.

[4] *Diario*, Tomo 6, 1924, p. 69.

[5] *Ibid.*, 1925, Tomo 2, p. 629.

[6] *Ibid.*, Tomo 4, p. 443; Tomo 5, p. 28.

[7] *Ibid.*, 1926, Tomo 6, p. 302.

was constantly supported by the minister of foreign affairs, Sr. Gallardo.[1]

As a result of the presidential election in 1928, Sr. Irigoyen was returned to power and there seems little likelihood of a change of policy under his presidency.

During the last three years of President Alvear's administration there was increased cooperation with the League. Argentina paid its budget quota from June 10, 1924, through 1929. On September 8, 1924, the Government of Argentina registered its first treaty with the League Secretariat,[2] the arbitration treaty with Venezuela.

Argentina appointed a permanent observer at Geneva (the minister at Bern) to keep the Government informed on the activities of the League. He attended the Ninth Assembly (1928), but this practice has not been followed since that time. A Bureau on the League of Nations has been established in the Ministry of Foreign Affairs since May 3, 1921. Beginning with the fifth session of the International Labor Conference in 1923, Argentina resumed representation at the annual conferences of that organization.[3]

The invitation from the League to accept a place on the Committee on Composition of the Council was the occasion for a renewed effort by President Alvear and Minister Gallardo in the message of March 24, 1926, to have the Legislature regularize Argentine relations with the League. The cabinet meeting of April 21, 1926, considered the question of sending representatives to the League of Nations Commission on the Composition of the Council and to the Preparatory Commission for the Disarmament Conference.[4] The decision was reached that Argentina was a Member of the League of Nations from the international point of view and that the fact that Congress

[1] República Argentina, *Camara de Diputados de la Nación*, Orden del Dia, 1924, No. 14; Orden del Dia, 1925, No. 69; Orden del Dia, 1926, No. 70.

[2] *Treaty Series*, XXVIII, p. 287.

[3] *La República Argentina en la Organización Internacional del Trabajo*, Ministerio, de Relaciones Exteriores y Culto, 1925, p. 97, 113, 127, 129.

[4] *La Nación*, April 21, 1926, p. 1.

had not yet approved it in accordance with the Constitution, would not prevent the cooperation of delegates in the work of the commissions.[1] This was by virtue of Art. 86 of the Constitution, which grants executive powers to the President of the Republic.

Renewed effort to interest Argentina in a return to League meetings was conspicuous at the Ninth Assembly, when during the 16th plenary meeting Sr. Guerrero of Salvador observed that he had had the privilege of working side by side with the delegation of Argentina at the Sixth International Conference of American States and expressed the hope "that, at the next ordinary session of the Assembly, we may have the privilege of welcoming back, not only the delegation of Costa Rica, but also that of the Argentine Republic."[2] This was the signal for a general outpouring of compliments and the expression of the hope that Argentina would soon return to the deliberations of the League.

Peru

On November 8, 1920, Peru presented a petition to the League of Nations requesting the revision of the treaty of 1883 between Chile and Peru, involving the "question of the Pacific."[3] It had been rumored that this would be done but many felt confident that the Government of Peru could be persuaded to desist, at least for the time being. Pressure was brought to bear upon the Peruvian delegates and on December 2, 1920, they withdrew the petition, reserving, of course, the right to present it anew at a convenient time.

The Assembly not only hesitated to consider the Tacna-Arica question but the chance of its ever considering it was, to say the least, remote. Peru had seen the League as a noble institution which would mete out justice and

[1] *La Nación*, April 24, 1926, p. 1.

[2] *Records of the Ninth Assembly, Plenary Meetings*, p. 131 (*Official Journal*, Spec. Sup. No. 64.)

[3] On the question in general, see Graham H. Stuart, *The Tacna-Arica Dispute*, p. 7–34 (World Peace Foundation, X, No. 1).

undo the injustice which had been imposed upon nations by force and violence. To the Peruvian mind there was but one just solution of the "Pacific problem." Hence, when Peru realized that the League would not or could not follow what in its conception were the dictates of justice and right, Lima not only sustained a great disappointment, but the fact dawned rather suddenly that the organization was not what some Peruvians had supposed it to be. The position of the United States in regard to the League was an important factor. The close relationship between Washington and Lima is well known. Peru had great admiration for President Wilson, who was called in the resolution passed by the Constitutional Assembly, "the great American." The absence of the United States, — recognized in Peru as the leader of the American continent and proclaimer of America for Americans, — influenced the framing of a new policy. Since Tacna and Arica was the focal point of all Peruvian foreign policy and since Geneva would not consider it, there was but one logical move, — that of looking elsewhere.

Peru's interest in the League waned even more rapidly than it developed. The Government, however, maintained the *status quo* and hoped that the pending Bolivian petition might still allow a solution at the Second Assembly. Thus, Bolivia was not only urging its own case but also advocating indirectly the cause of Peru; they had worked together in presenting their claims. The Bolivian petition was withdrawn from the Second Assembly. This ended the new policy of the Peruvian Government. During the previous year a new orientation in anticipation of a possible failure at Geneva had been taking place. Eyes were turned to Washington and ears were tuned to the White House instead of to the Palace of Nations, and hence when the decision was taken in Geneva, Peru was definitely on the road of "America for Americans."

The history of the negotiations leading to the convention naming the President of the United States as arbiter of the Tacna and Arica question would lead us afield, but suffice

it to say that Peru from then on looked to Washington for the solution, with a consequent cooling of admiration for the world institution.

The participation of Peru from 1920 to 1929 was, therefore, slight. Its delegates, the ministers at Paris, Madrid and Brussels, respectively, played a passive rôle. They are recorded in the First and Second Assemblies as favoring certain general propositions such as compulsory arbitration. The Government proposed a delegation for the Third Assembly but subsequently decided not to be represented.[1] It sent no other delegation to any of the Assemblies until 1929.

It did not pay the budget quotas until 1928, when 1,461,771 francs had accrued, but never proposed to give definite notice of withdrawal at the end of two years in accordance with the Covenant. Lima had relatively little to do with the League Secretariat, with which it carried on a comparatively light correspondence. Beyond furnishing information requested, it did not cooperate with the League from 1921 to 1928. Several leading Peruvians even expressed the opinion that Peru was not a Member of the League.

The country was in a position to resume activity at any moment and was maintaining the *status quo*. It had nothing to lose by this procedure, while there was a possibility of some eventuality arising in which it would be advantageous to have official bonds with the world organization. It is important to note that there was no evidence of opposition or antagonism to the League and that absence was simply the result of circumstances.

When the problem of "national interests" was solved,[2] the considerations which led to Peruvian adherence came to the fore. Many prominent Peruvians had expressed the opinion that Tacna and Arica was their most important problem and since the League would not act regarding America, they could have nothing to do with Geneva until

[1] *Records of the Third Assembly, Plenary Meetings*, p. 13.

[2] The treaty between Chile and Peru settling the Tacna-Arica question was signed at Lima, June 3, 1929.

that matter was settled. Then, too, the favorable position which Chile enjoyed as a member of the Council was also a factor. The renewal of diplomatic relations with Chile and the solution of the Tacna-Arica problem completely changed the situation.

Peru sent a delegation to the Tenth Assembly in September, 1929, and was immediately elected as a nonpermanent member of the Council to occupy the seat just vacated by its late rival Chile. This opened a new page in Peru's relations with the League of Nations.

Uruguay

The rôle which Uruguay has played in the League of Nations, although not a prominent one, has been at least worthy. One of the original Members, Uruguay, has been represented at every Assembly and has fully cooperated with Geneva. The same attributes which have won for Uruguay admiration on the American continent have likewise commanded the respect of the world at Geneva. If it can be said that some states have sought national advantage through the League, such a charge can not be brought against the Republic of Uruguay. It has ever held the view that all matters shall be decided from the point of view of the advantages accruing to the Members as a whole rather than to any individual nation.

Uruguay has been represented in the Assembly meetings and the Council sessions almost entirely by diplomats accredited to European nations. Alberto Guani, minister at Brussels and later minister in France, was the Uruguayan delegate to the Council during the years that Uruguay was a nonpermanent member, with but two exceptions. Benjamin Fernandez y Medina, the minister in Madrid, has been a delegate to all Assemblies except the second.

Uruguay was elected by the Third Assembly to a nonpermanent seat on the Council and was represented for the first time at the 23d session, January 19–February 3, 1923. It was also elected by the Fourth and Fifth As-

semblies, its term of office ending in 1926. The Uruguayan delegate fulfilled his duties with tact and ability in the many delicate problems which the Council was called upon to consider.

Uruguay has been very prompt in its payment of the League quotas. This can be considered as a particular virtue in view of the fact that the preponderant number of delinquent members are American states. In fact, Uruguay is one of the few Latin American states which has not been in arrears at some time during the League's existence.

At the First Assembly, Dr. Juan Carlos Blanco, minister at Paris and head of the delegation, was elected as vice-president on December 11, 1920, to fill the vacancy created by the withdrawal of Sr. Pueyrredon of Argentina. Sr. Fernandez y Medina was elected vice-president by the Fourth Assembly. By his continuous service he has established a reputation which is recognized by his frequent appointment to serve as rapporteur. In that capacity he served in the Fifth Assembly on the question of an international federation for the mutual assistance and relief of peoples overtaken by disaster. He proposed the constitution of a committee appointed by the League and the Red Cross to elaborate the scheme, which was adopted. He likewise interested himself in the question of protection of children.[1] He proposed to the Fifth Committee a resolution that Latin America should be appointed to the Advisory Committee on Traffic in Opium.[2] This was adopted by the Assembly,[3] and the Council appointed Bolivia on December 10, 1924.

Education has interested Uruguay. A resolution provided that the Assembly recommend that the Council instruct the International Committee on Intellectual Cooperation to prepare a draft text on the objects and work of the League which would serve as a model in the schools of all countries for teaching the conception of solidarity and

[1] *Records of the Fifth Assembly, Meetings of Committees, Minutes of the Fifth Committee*, p. 72–74 (*Official Journal*, Spec. Sup. No. 28).

[2] *Ibid.*, p. 16, 17.

[3] *Ibid.*, p. 116.

international cooperation, in connection with the League of Nations.[1]

This matter was remitted to the Sixth Assembly on the recommendation of the Agenda Committee [2] and referred to the Committee on Intellectual Cooperation, along with other proposals. The Committee submitted them to a subcommittee of experts, which determined the best methods to procure the desired results.[3] At the Sixth Assembly, Uruguay proposed that the Council authorize the Committee on Intellectual Cooperation to prepare a document for the teaching profession to explain the organization, aims and work of the League.[4] This proposal was adopted by the Assembly in a resolution September 22, 1925.[5] The publication was issued in 1929 and a survey of the teaching done is issued twice a year.

Another subject brought up by Uruguay was that of telegraphic services. It proposed that the Assembly voice the hope that the Conference of the Universal Telegraphic Union would consider giving the journalists who followed the work of the League, the largest facilities regarding rates and services, in order to assure the greatest possible diffusion of news concerning its work and activities.[6]

Uruguay has been a consistent partisan of arbitration in America, at The Hague and in the League.

Dr. Blanco spoke in favor of compulsory arbitration at the First Assembly.[7] On September 14, 1925, Sr. Enrique Buero said that from Uruguay's point of view compulsory arbitration is the very heart and essence of the Geneva Protocol. He pointed out that the Latin American coun-

[1] *Records of the Fifth Assembly, Meetings of Committees, Minutes of the Fifth Committee*, p. 183 (*Official Journal*, Spec. Sup. No. 28).

[2] *Ibid., Plenary Meetings*, p. 186 (*Official Journal*, Spec. Sup. No. 23).

[3] *Records of the Sixth Assembly, Plenary Meetings*, p. 105 (*Official Journal*, Spec. Sup. No. 33).

[4] *Ibid., Meetings of Committees, Minutes of the Second Committee*, p. 94 (*Official Journal*, Spec. Sup. No. 35).

[5] *Ibid., Plenary Meetings*, p. 105 (*Official Journal*, Spec. Sup. No. 33).

[6] *Ibid., Meetings of Committees, Minutes of the Second Committee*, p. 20 (*Official Journal*, Spec. Sup. No. 35).

[7] *Records of the First Assembly, Plenary Meetings*, p. 448.

tries were mutually bound by treaties of arbitration which are in keeping with the principles of the Protocol and expressed the hope that there might be a systematic increase of general arbitration treaties throughout the world. "In this sense we may justifiably say that the international policy of the Latin American countries may be regarded as a continental application of the principles of the Covenant of the League." [1] Sr. Buero presented a resolution to the Sixth Assembly requesting the Council to undertake a study of the Statute of the Permanent Court of International Justice with a view to widening the jurisdiction of the Court. This was placed on the Agenda for 1926.[2]

In a letter read to the Assembly September 16, 1926, Uruguay withdrew its candidacy for a nonpermanent seat on the Council. In this letter the Uruguayan delegation opposed the practice of Latin American group meetings imposing their nomination upon members of the group. It noted that such a meeting for Latin America, with Argentina, Mexico, Brazil, Peru, Ecuador, Bolivia, Costa Rica and Honduras absent, could not competently interpret the real aspirations of all the countries. Such meetings could lead to no more than an unofficial exchange of views.[3] "The Assembly, and the Assembly alone, possesses the right, the power and the authority necessary to select candidates."

Colombia

Colombia has played a reasonably active part in the activities of the League. Dr. Francisco José Urrutia, the Colombian minister at Bern and Madrid, has represented his country at each and has, therefore, profited by the experience and contacts which are assets in a world assembly as well as in a national parliament. At several sessions of the Assembly he has been the only delegate.

[1] *Records of the Sixth Assembly, Plenary Meetings*, p. 71–72 (*Official Journal*, Spec. Sup. No. 33).

[2] *Ibid., Meetings of Committees, Minutes of the First Committee*, p. 24 (*Official Journal*, Spec. Sup. No. 34).

[3] *Records of the Seventh Assembly, Plenary Meetings*, p. 82 (*Official Journal*, Spec. Sup. No. 44).

Dr. Urrutia and Dr. Antonio José Restrepo occupied themselves at the First and Second Assemblies with questions of procedure. Dr. Urrutia's remarks regarding the unanimity rule are interesting. He divided resolutions into three categories, each to have its own procedural requirements. He thought that resolutions which are to amend or introduce new clauses into the Covenant should be passed by unanimity; that resolutions which aim at developing principles of the Covenant along practical lines should be passed by a two-thirds vote; and that resolutions dealing solely with procedure would require only a majority.[1]

Dr. Restrepo favored the immediate admission of Estonia, Latvia, Lithuania and Georgia at the First Assembly, contrary to the recommendations of the Fifth Committee, of which he was a member.[2]

Dr. Urrutia was prominent in the discussions in the Third Committee on the Statute of the Permanent Court of International Justice. Again he occupied himself with matters of procedure. He was and has been always in favor of greater Latin American representation and proposed to amend Art. 3 of the Statute to make a court of 15 judges and six deputy judges, to be allocated as follows:

8 judges and 3 deputy judges of European nationalities.
5 judges and 2 deputy judges of American nationalities.
2 judges and 1 deputy judge of Asiatic or African nationalities.

The Colombian delegates have frequently spoken before the Assembly on arbitration, admission of new members, the principles which Argentina proposed in 1920, the Permanent Court, and greater democratization of the League. On this latter subject Señor Urrutia on September 11, 1925, made the following suggestions for "democratization" by "effective means" under the Covenant:[3]

[1] *Records of the First Assembly, Plenary Meetings*, p. 257.

[2] *Ibid.*, p. 616.

[3] *Ibid.*, p. 480, 583; *Records of the Second Assembly, Plenary Meetings*, p. 816–817; *Records of the Fifth Assembly, Plenary Meetings*, p. 76–77, 102 (*Official Journal*, Spec. Sup. No. 23); *Records of the Sixth Assembly, Plenary Meetings*, p. 48–49 (*Official Journal*, Spec. Sup. No. 33).

The chief of these, in my opinion, consists in giving the League powers, as wide as the Covenant will permit, to enable it to express its desires by real resolutions and not by mere recommendations or requests addressed to the Council.

Once invested with these powers, the Assembly would itself enact the Statutes of the principal technical bodies of the League — such as the Committee on Intellectual Cooperation, for example — according to the procedure adopted by the Barcelona Conference in regard to the Organization of Communications and Transit.

In the same way, the Assembly would in future possess the right to nominate the members of these bodies, which would then have the weight of its authority, and the Council would be relieved of a very complex part of its work, which, nevertheless, it carries out most conscientiously. . . .

One of the most valuable results of the democratization of the League would be to hasten the day when it will include all the nations of the world and particularly those American states whose absence we still deplore.

Although opposing increases in expenses, Colombia has paid allotments to the League budget regularly and is therefore in good financial standing with the Geneva institution.

At the Seventh Assembly Colombia was elected as a nonpermanent member of the Council for three years.[1] Dr. Urrutia represented his country on the Council beginning with the 42d session on September 16–20, 1926. In the Council meetings the Colombian representative fulfilled his task with credit. Dr. Urrutia called the attention of the Council to the "Extensive and remarkable effort at codification of international law which had been made during the past few years by the Pan American Union,[2] and urged that the League's committee should consider the results of the efforts which had been made in the Western Hemisphere. During 1927 he served as rapporteur on the Financial Committee, on protection of minorities in Upper Silesia, on the Communications and Transit Conference, and on the legal position which would

[1] *Records of the Seventh Assembly, Plenary Meetings*, p. 82 (*Official Journal*, Spec. Sup. No. 44).

[2] *Official Journal*, VIII, p. 1452.

arise from economic sanctions. In the next year he was rapporteur for the very delicate series of minorities questions.

In 1927 the Colombian Government established a special section in the Ministry of Foreign Affairs to deal with all matters connected with international organizations such as the League. Colombia also has a permanent representative accredited to the League.

Venezuela

Venezuela has been represented at each session of the Assembly of the League by delegates who have been largely diplomatic representatives accredited to some of the European nations. It has established a League of Nations Bureau in the Ministry of Foreign Affairs.

The action of the Venezuelan delegations has been in regard to such subjects as compulsory arbitration, the adoption of Spanish as an official language, finances of the League, intellectual cooperation, and reorganization of the Council. Dr. Rodriguez favored compulsory arbitration in a long speech before the First Assembly[1] and Cesar Zumeta, minister at Rome, was rather prominent in the discussions of the Fourth Committee (finance) of the Third Assembly in regard to the Latin American office and the Health Organization.

In the same committee of the Fourth Assembly he opposed coercive measures against states which were in arrears in their contributions. It might be noted that Sr. Zumeta and Dr. C. Parra-Perez, chargé d'affaires at Bern, have represented their country in all sessions of the Assembly except the first two.

Dr. Parra-Perez urged in the Fifth Committee of the Fourth Assembly that a Spanish American be named on the Committee on Intellectual Cooperation. He later joined France and Rumania in a resolution to have the Slav group, the Spanish speaking American group and the

[1] *Records of the First Assembly, Plenary Meetings*, p. 166–169.

Asiatic group each represented on that committee.[1] He also spoke before the Assembly in favor of enlargement of the committee, saying:[2]

> We do not seek to revolutionize or disturb; our aim is to share in the work for the improvement of intellectual relations between the nations; but, in so doing, we consider that due attention should be paid to the rights of these eighteen countries beyond the ocean, which . . . own as a common heritage three great human attributes — thought, creed, language.

At the Sixth Assembly in 1925 Sr. Zumeta proposed that from 1926 there should be applied the principle of rotation,[3] to obviate the reelection of the same nonpermanent members of the Council.

The Ninth Assembly elected Venezuela as a nonpermanent member of the Council for three years, in succession to Colombia, whose term expired in September, 1928. The Venezuelan representative has been Sr. Zumeta, who has been rapporteur on humanitarian and refugee questions and international bureaus.

Bolivia

The participation of Bolivia in the Assembly has been irregular and somewhat passive, with the exception of the attempt to have the League consider[4] a revision of the treaty of 1904 between Chile and Bolivia. The Bolivian delegation gave up that effort during the Second Assembly and the Government failed to accredit delegates to the Third Assembly until after the opening of the meetings, and then only by telegram. Although this was not the customary form of credentials, they were accepted. The

[1] *Records of the Fourth Assembly, Meetings of the Committees, Minutes of the Fifth Committee*, p. 34 (*Official Journal*, Spec. Sup. No. 18).

[2] *Ibid., Plenary Meetings*, p. 104 (*Official Journal*, Spec. Sup. No. 13).

[3] *Records of the Sixth Assembly, Plenary Meetings*, p. 160 (*Official Journal*, Spec. Sup. No 33).

[4] See p. 76.

Fourth Assembly saw Bolivia join Argentina and Peru in the rank of absentees and for several years the country failed to be represented at the Assemblies.

Bolivia sent a delegation to the Tenth Assembly (1929). One reason for sending a delegation to that Assembly was to have representatives present for the consideration of an application made by President Hernando Siles on June 29 for the assistance of the Health Committee in the reorganization of the sanitary service of the country. The request was that an expert be delegated by the Health Committee to cooperate with the Bolivian director general of health at La Paz in the scientific organization of that work. After a preliminary period of six to eight months the Health Committee would select a technical cooperator to work with the Bolivian official for two years. The Council on August 31 replied favorably to the President's letter and expressed its satisfaction that the Bolivian Government had solicited the aid of the Health Organization, to which it intrusted the carrying out of the program. Señor Alberto Cortadellas, representative of Bolivia in the Council proceedings, stated that the letter of the President showed how much his Government appreciated the general work done by the League and "the meaning and great importance, for each Member of the League, of the assistance which that organization could give through the instrumentality of its technical organizations in the development of national institutions."[1]

At the moment the request was acted upon Bolivia was in arrears on the budget quotas since 1923, a total balance of 630,772.03 Swiss francs being due.

The dispute between Bolivia and Paraguay, which had come to the cognizance of the Council in December, 1928, is dealt with in a connected narrative in a subsequent chapter.[2]

[1] *Official Journal*, X, p. 1453; see letter of the President at p. 1587.

[2] See p. 179.

Paraguay

The participation of Paraguay in the League has been almost entirely of a passive nature. It has been represented at each of the Assemblies by the minister at Rome or by the chargé d'affaires at Paris. In none of the Assemblies, however, have the delegates taken a prominent part. It might be noted that the credentials of the delegate to the Fourth Assembly were not presented until the 15th plenary meeting, although the delegate accredited to the meeting was Dr. Caballero, the chargé d'affaires at Paris, who was also the diplomatic representative charged with permanent relations with the League.

2. Caribbean Republics

Cuba

The most prominent, most active, and most consistent participant of the Caribbean area in the work of the League is unquestionably the Republic of Cuba. It is the only Government of this region which has sent a complete delegation to Assemblies and they have likewise been the most distinguished while the eminent Cuban jurist, Dr. Antonio Sanchez de Bustamante, is a member of the Permanent Court of International Justice. Cuba has heartily cooperated in the ratification of League conventions,[1] and has regularly attended special technical conferences held under League auspices. It has a permanent representative accredited to the League.

In 1927 the Cuban Society of International Law appointed a commission for the scientific investigation of the nonpolitical activities of the League.[2] This commission serves as a technical advisory body to the League of Nations Section of the Cuban Department of State in regard to all matters submitted by the League. This "Cuban League of Nations Commission" also arranges lectures on

[1] See *infra*, p. 162 *ff*.

[2] *Official Journal*, VIII, p. 1533.

the aims and work of the League in an effort to develop a real popular interest in it.

Most of the Cuban delegates to Assemblies have been diplomatic agents accredited to European Governments. At the First Assembly, Dr. Aristides de Aguero y Bethancourt, minister to Germany, headed the delegation and was assisted by the ministers to France and Italy. This delegation favored compulsory arbitration, the designation of Spanish as an official language of the League, and the reeligibility of nonpermanent members of the Council. The chief of the delegation protested against the assertion which was being made in certain organs of the press that "the countries from the other side of the Atlantic are incapable of understanding European ideals, and of contributing in a useful and sincere manner to the common work that has been undertaken." "Gentlemen of the Press," he said, "we come with sincere intentions to do our share of the common task."[1] In stating the differences between Europe and other regions, Señor Agüero y Bethancourt said:

> We all know that problems have arisen here which do not affect the Old World but are very real to the New World. I ask the illustrious representatives of the Old World to say frankly whether they are in a position today to find a solution for the problems of this kind which have been submitted by several Members to the Assembly. I hardly think so, for the great powers of the Old World have great interests and immense problems which occupy all their time and do not allow them to concern themselves with the interests of other continents. If the powers of the other continents do not come here to help in the solution of these problems, it will not be possible to find for them a solution which will be just and founded on right.

There is no doubt that Cuba has profited from its affiliation with the League of Nations, which has exalted its international importance. In an address delivered at a banquet of the Cuban Society of International Law at Habana on March 5, 1922, Señor Cosme de la Torriente

[1] *Records of the First Assembly, Plenary Meetings*, p. 428–430.

said: "The great advantage that Cuba has gained by becoming a Member of the League of Nations, the great advantage that we have obtained in having Cuba represented by Dr. Bustamante in the Permanent Court of International Justice, lies in the fact that from day to day the world will become more convinced that Cuba is a country well prepared for independence."[1]

The head of the Cuban delegation, Señor Cosme de la Torriente, was elected President of the Fourth Assembly. This was a distinction recognizing the loyal support which Cuba had given to the League. With the possible exception of Chile, Cuba had given the most consistent and hearty support of any American Member, and it was natural that the second American to be elected president of a League Assembly should have been a Cuban.

The Cuban delegation proposed to the Fourth Assembly:[2]

> In order to give a more general character to the recommendations of Pan American conferences, the Cuban delegation begs to submit to the Assembly of League of Nations the following proposition:
>
> The Assembly decides to accept with the greatest sympathy the principle of closer municipal relations which the Santiago conference recommended to the members of the Pan American Union for adoption, in view of the fact that the maintenance of direct relations between the important municipalities of various countries is a new form of cooperation between peoples which will contribute largely to diffusing the ideals which led to the creation of the League of Nations and which guide its work.

This was placed on the agenda of the Fifth Assembly, which directed the Secretariat to study the question. No practical means of accomplishing the object was found.

Señor de Agüero y Bethancourt has been a delegate to every Assembly and has been otherwise active in the League's work. He was rapporteur on the question of Greek and

[1] *International Conciliation*, September, 1922, No. 178.

[2] *Records of the Fourth Assembly, Plenary Meetings*, p. 94 (*Official Journal*, Spec. Sup. No. 13).

Armenian refugees at the Third Assembly. At the Sixth Assembly he recalled that a representative of the League Health Organization had visited Cuba at the time of the Pan American Sanitary Conference and had discussed means of developing cooperation in health matters. The Cuban delegate proposed that the Health Committee organize an interchange of personnel in Latin America.[1] The complete delegation to the Seventh and Eighth Assemblies did not take a prominent part in the proceedings. The Council at the 44th session invited Señor de Agüero, who was chairman of the Advisory and Technical Committee for Communications and Transit, to preside over the Third General Conference on Communications and Transit, which he did.[2]

Cuba was elected to the Council in 1927 and Señor de Agüero was its representative at the 47th session. At the 48th session he was made rapporteur on the establishment of an Administrative Staff Tribunal and on the appointment of an auditor and deputy auditor of the League of Nations. He favored extending the activities of the Health Committee to other Latin American countries. He was also rapporteur upon the appointment of two members of the Supervisory Commission, and also on the appointment of members on the Board of Management of the Staff Provident Fund. At the 49th session Señor de Cespedes, the Cuban representative, was rapporteur on the question of the Conference Hall, on the expenses of the Committee of Inquiry on the Bulgaro-Greek incident and on the expenses of military attachés in carrying out the mission on the Polish-Lithuanian frontier, as well as on health problems. He was also rapporteur on the Library of the League and the Staff Provident Fund. At the 50th session Señor de Agüero y Bethancourt was president of the Council and was rapporteur on the report of the Committee on the Allocation of Expenses and on the

[1] *Records of the Sixth Assembly, Meetings of Committees, Minutes of the Second Committee*, p. 21 (*Official Journal*, Spec. Sup. No. 35).

[2] *Official Journal*, VIII, p. 381.

budget for 1929. During this session the Szent-Gothard incident was before the Council and it was the draft resolution which the president proposed that was adopted by the Council on this matter. At the 51st session he was rapporteur on the Transfers in the Budget for 1928 and certain other matters relating to the budget. Señor Orestes Ferrara represented Cuba at the 52d session.

Cuba sent a rather imposing delegation to the Ninth Assembly, including four substitutes and five secretaries. Señor Ferrara in the discussions on the codification of international law [1] in the First Committee called attention to the work which had been done in America in this field. He proposed that any work of codification should be prefaced by a declaration regarding the rights and duties of states. This was obviously a reflection from the International American Conference which had been held in Habana during the early part of that year. The Assembly recommended that the Committee of Experts on the Codification Conference examine the possibility of formulating such a declaration.[2] Its report on the subject [3] resulted in no positive action.

Another proposal of Señor Ferrara likewise had its origin at the American conference. He urged that the Council be requested to consider the advisability of recommending that the Governments include women in their delegations to the forthcoming Conference on the Codification of International Law. He noted that the Habana conference had established an Inter-American Commission of Women with the task of preparing the necessary documentation for a study of the question of civil equality. The Assembly adopted a resolution expressing the hope that the Members would consider the desirability of including women in their delegations, at least for the consideration of questions of nationality.

[1] *Records of the Ninth Assembly, Meetings of the Committees, Minutes of the First Committee*, p. 16–17 (*Official Journal*, Spec. Sup. No. 65).

[2] *Ibid., Plenary Meetings*, p. 143 (*Official Journal*, Spec. Sup. No. 64).

[3] *Official Journal*, IX, p. 858.

Panama

The attendance of Panama at the League Assembly has been constant and consistent. At each session its delegates have, for the most part, been diplomatic agents. Generally two delegates out of a possible three have been in attendance. In no session, however, has any delegate taken an active part.

At the First Assembly the Panaman delegation favored compulsory arbitration and took part in the discussions on the Permanent Court of International Justice. It proposed a clause providing for economic sanctions in case a decision of the Court were not complied with, which was not accepted. It also protested against the scale of contributions to the League.

In February, 1921, only a few months after Costa Rica had been admitted to the League, a border dispute arose between it and Panama. The boundary had been in dispute for a long time and had been the subject of arbitration by President Loubet of France in 1900 and of an award by Chief Justice White of the United States in 1914.[1] Panama had refused to accept this award, on the ground that it did not conform with the *compromis*. On February 21, 1921, the day on which the Council of the League convened in Paris, Costa Rica seized the Coto territory assigned to it under the Loubet award. The village of Puerto Nuevo was occupied, but Panama recaptured the region and took a number of Costa Ricans prisoners. A state of tension resulted which threatened the peace of the isthmus. Feeling ran high and a mob assaulted the Panaman legation in San José. Costa Rica reinforced the troops on the frontier and Panama proceeded with military preparations.

The Secretary-General of the League, acting upon reports in the newspapers, instructed the Secretariat on February 28, 1921, to collect information on the differences between Panama and Costa Rica. On March 1 the Council agreed that it was unnecessary to send a telegram already

[1] *Foreign Relations of the United States, 1914*, p. 1000.

prepared, since the press reported a satisfactory solution.[1] Newspaper reports continued disquieting, and at the close of its session on March 4, the Council brought these reports by cable to the attention of both "Members of the League who have solemnly and publicly subscribed to the high principle and obligations of the Covenant" and requested information as to the facts.[2]

A few minutes after, a telegram, sent from Panama on March 2 and relayed from Geneva on the 3d, was received by the Council. It denounced the acts of Costa Rica and expressed confidence that they deserved "the punishments prescribed in such cases by the Covenant of the League."[3] This cablegram notified the Council that the United States had tendered its good offices and that Panama had accepted. The Council immediately expressed its pleasure "to know that the United States Government have offered their good offices and that these have been accepted by the Government of Panama."[4] An additional protest from Panama against "the acts of arbitrary violence for which Costa Rica is responsible" was received in Paris March 5.

During this time the Panaman legislature and executive had adopted war measures and the presidential residence had even been assailed because the President was believed to be lukewarm. The United States had immediately protested against the use of force by either disputant. Panama inquired of the United States regarding its understanding of its obligations to maintain the independence of Panama in the light of the treaty of November 18, 1903.[5] On March 4, the United States called upon the two countries to refrain from hostilities and tendered its good offices, Secretary Hughes reminding the parties that in 1915 they had agreed to submit disputes to the mediation of the United States.[6]

[1] *Minutes of the 12th Session of the Council*, p. 27.
[2] *Ibid.*, p. 199; *Official Journal*, II, p. 215.
[3] *Official Journal*, II, p. 214.
[4] *Ibid.*, p. 215.
[5] Malloy, *Treaties, International Acts, etc.*, p. 1349.
[6] *Foreign Relations of the United States*, 1915, p. 1131.

On March 8, the Secretary-General was informed by Costa Rica "that, thanks to the mediation of the Government of the United States of America, the dispute between Costa Rica and Panama is virtually at an end." The acting president of the Council, Dr. Gastão da Cunha (Brazil), was quick to express his satisfaction at the acceptance of the mediation of the United States and to add that the Council considered "the dispute in the process of settlement."[1] Dr. da Cunha stated that the United States had always exercised a good influence in Central American affairs, and that in the present case the Council could only give the United States an opportunity to do something before itself taking any action.[2]

Panama objected by cable to the Secretary-General on March 8 to the position of the United States as mediator in insisting that the White arbitral award of 1914 be accepted. Panama held it to be unacceptable. The League reply was confined to expressing satisfaction "that an honorable settlement of the dispute, in accordance with the spirit of the Covenant, is in sight."[3]

On March 7 an armistice was effected between Costa Rica and Panama, and on March 17 Secretary Hughes informed the Panaman Government that the White award should be respected. On August 24, the United States and Costa Rica announced the appointment of a commission of engineers to delimit the boundary. Panama refused to appoint a member.

Two subjects which have found Panama always in harmony with other Latin American delegations at Geneva have been budget quotas and the election of Council members. The delegate at the Third Assembly, Dr. Amador, chargé d'affaires in Paris, opposed the increase of the League budget, while the other delegate, Señor Antonio Burgos, minister at Rome and Bern, proposed that the permanent

[1] *Official Journal*, II, p. 218.
[2] *New York Times*, March 8, 1921.
[3] *Official Journal*, II, p. 219.

members of the Council be elected by the Assembly.[1] Señor Burgos alone represented Panama at the Fourth Assembly.

At the Fifth Assembly Panama urged its claim for a lower quota. The Government pointed out that, although the scale of the Universal Postal Union was adopted for the first two years, it was understood that, when the new scale entered into force, states overcharged under the old scale would be entitled to a retroactive refund. A subcommittee considered the request from the legal aspect and decided that, inasmuch as the claim was based solely on recommendations not resolutions, the League was not bound to repay budget contributions by any decision of the Assembly. The recommendation was that the claim be not entertained.[2] When the report was presented to the Fourth Committee, Señor Narciso Garay read a long memorandum, couched in rather forceful terms and not in every respect conciliatory. Certain personal references led the Secretary-General to state that he was not able to accept some of the statements of the delegate from Panama. The Uruguayan delegate, in a conciliatory manner, then proposed a resolution to the effect that the Secretariat be instructed to enter into negotiations with Panama for the purpose of seeking a solution. In making this proposal he called attention to the fact that the annual contributions might cease altogether if the question should be definitely decided against Panama. The proposal was defeated, 20 to 7. The committee finally adopted a solution which was unanimously adopted by the Assembly as a resolution on September 26, 1924, in these terms:[3]

The Assembly, being aware that it will be causing to one of the most devoted and most esteemed Members of the League a comprehensible disappointment, and being convinced, nevertheless, that its decision implies no injustice:

[1] *Records of the Third Assembly, Plenary Meetings*, p. 225.

[2] *Records of the Fifth Assembly, Meetings of the Committees, Minutes of the Fourth Committee*, p. 74 *ff.* (*Official Journal*, Spec. Sup. No. 27).

[3] *Resolutions and Recommendations adopted by the Fifth Assembly*, p. 34.

Decides not to entertain, in the present circumstances, the claim of Panama, which might, however, receive further consideration at some future Assembly.

This was indorsed by the Panama delegation [1] which brought the matter up the following year. The adjustment was finally made by a general distribution of prorated surplus to all Member states concerned.

The treaty signed on July 28, 1926, between the United States and Panama aroused opposition in the Panaman Congress. Art. XI of that treaty provided [2] that the "Republic of Panama will consider herself in a state of war in case of any war in which the United States should be a belligerent; and in order to render more effective the defense of the Canal will, if necessary in the opinion of the United States Government, turn over to the United States in all the territory of the Republic of Panama, during the period of actual or threatened hostilities, the control and operation of wireless and radio communications, aircraft, aviation centers and aerial navigation." It would also give the United States the authority to direct and control "all military operations in any part of the territory of the Republic of Panama" during actual or threatened hostilities. The treaty was not ratified by Panama.

Under Art. 12 of the Covenant, Panama agrees to submit to pacific settlement all disputes which might lead to a rupture, and in no case to resort to war until three months after a decision. According to the letter of the Covenant the treaty might conflict with it, but the United States occupies a special position in regard to the Canal, which it built and considers an essential to its national defense. This special relationship is analogous to the relationship of Great Britain to Egypt in regard to the Suez Canal. On November 19, 1924, Great Britain [3] announced to Members of the League that it would insist upon main-

[1] *Records of the Fifth Assembly, Plenary Meetings*, p. 171 (*Official Journal*, Spec. Sup. No. 23).

[2] Sen. Exec. Doc. B, 69th Cong., 2d sess.

[3] *Official Journal*, VI, p. 302.

taining "the special relations between Egypt and itself long recognized by other countries" and would regard as an unfriendly act "any attempt at interference in the affairs of Egypt."

At the Eighth Assembly the Panaman delegate, Dr. Eusebio A. Morales took the opportunity to explain the position of his country before the 11th plenary meeting. He pointed to the unique geographical position of Panama and gave assurance that the people of Panama were confident that the work of the League was sound and profitable. He argued the case against regional leagues and referred especially to "the mistaken idea that there is a single spirit representative of America" and to the illusion of "common continental interests."[1]

"The League of Nations, in the universal form in which it exists to-day," he said, "presents, as far as the weaker states are concerned an aspect the essential importance of which has not yet been fully realized — I mean the moral aspect, the influence of reason and justice in the formation of a stern world public opinion in the face of which arms and armies are impotent." He referred to the Assembly as "the only forum before which those in need of protection and support may proclaim their wrongs, confident that at least the opprobrium of humanity's silent censure may fall upon the oppressors." He suggested that the League inaugurate "the practice of inviting the Members of the League to meet in Geneva from time to time and explain, possibly without any definite intention of their discussion or settlement, circumstances and conditions which in any way influence their international life. . . . Panama desires to inaugurate this practice as a proof of her profound respect for the League, and as the best means of explaining certain facts which have been misrepresented in the press of various countries, in regard to the relations and links existing between Panama and the United States."

He outlined the situation and the controversy then existing between Panama and the United States. Regard-

[1] *Records of the Eighth Assembly, Plenary Meetings*, p. 100–103 (*Official Journal*, Spec. Sup. No. 54).

ing the treaty of 1926 he answered in the following manner the criticism that it violated the Covenant:[1]

During the discussion of this convention, Panama enjoyed full liberty of action, and, despite the fact that the negotiations took place between one of the most powerful and one of the weakest countries in the world, there was not the slightest tendency to impose onerous or humiliating conditions upon Panama. On the contrary, these negotiations were marked throughout by a spirit of mutual consideration and respect, a fact which, in itself, is deserving of mention so that it may be fully appreciated. . . .

There is, however, a serious question in regard to which no compromise is possible between the two Governments, because it can not be settled unless one of the parties changes its views wholly and completely and adopts the other's view.

The United States maintains that Panama has transferred to it its right of sovereignty over the Canal Zone, while Panama maintains that it has only granted to the United States such rights and authority as that country would possess if it were, in fact, the sovereign power, for the specific purpose of constructing, maintaining, operating, sanitating and protecting the Canal.

Panama takes the view that sovereignty does not consist of one right only but of many rights, and that accordingly it was within its power to grant the United States the right to administer justice, to maintain order, to sanitate and protect the Canal Zone, but neither in intention nor in fact did it grant to that country the whole of its sovereign rights. Sovereignty is too essential and important a thing to be transferred by implication. Although it may be argued that the sovereign rights retained by Panama over the Canal Zone are but a shadow, they are yet substantial enough to prevent the United States from having a legitimate claim or title to transfer the Canal Zone or the Canal itself to any other country, and this is sufficient to justify Panama in its view. . . .

As Panama sees it, [Art. XI] can have no other meaning than that, under its terms, it offers its assistance for the defense of a part of its own territory in which another country possesses vital interests. Panama maintains that it has not renounced or transferred to the United States the whole of its sovereign rights over the Canal Zone, and that, consequently, if the Panama Canal were attacked by any other country, it is the right and duty of Panama

[1] *Records of the Eighth Assembly, Plenary Meetings*, p. 102 (*Official Journal*, Spec. Sup. No. 54).

to defend it. This is a purely defensive provision to meet the eventuality of an attack on the Panama Canal involving the United States as a belligerent — an eventuality which we hope will never occur. It does not refer to a conflict involving Panama as one of the principal parties, in which case the Covenant of the League provides, in Arts. 12 and 13, as amended in 1921, the procedure to be followed for the settlement of the dispute before a final resort to war. On the contrary, it relates to the defense by Panama of its territory in the event of a war arising out of a dispute in which it is not directly involved.

Panama maintains, therefore, that, even if the treaty in regard to which negotiations are still proceeding at Washington should be finally approved and ratified, with the inclusion of the clause relating to her cooperation in the defense of the Canal, that treaty would not constitute any violation of the engagements she has contracted under the Covenant. In that event, however, the matter will be considered when the treaty is registered with the Secretariat of the League.

The United States has been accused of forcing Panama to accept this clause, but my Government solemnly declares this allegation to be false. The essential part of the clause was proposed by the Panama Government as a proof of solidarity with the United States in regard to the defense of the Canal and of its own territory, and was accepted by the latter country in a magnanimous spirit and with a clear comprehension of the intention underlying Panama's proposal.

Such is the explanation which my Government desires to give to the Assembly of the League of Nations, in order to define its attitude to the League and to serve as an authoritative statement regarding the development of its special relations with the United States.

Panama was represented at the Ninth Assembly by the minister at Paris. He called the attention of the Assembly to the fact that Panama was endeavoring to establish an international organization which will provide for an intellectual center for all the movements and ideals of the American continent as a means of diffusing culture and intellectual moral cooperation throughout the world. He appealed to the delegates to obtain universal free postage for books of an educational and scientific nature as well as

books exchanged between libraries. "I am sure," he said, "that such an institution will be regarded by the League as a means of supplementing its work and of encouraging the American nations to take a more active interest in its achievements. Our republics have many problems — economic, social and other — which differ in some respects from those which the League has hitherto solved; but all problems of an intellectual character the solution of which is undertaken at Geneva are of real interest to those American nations."[1]

Salvador

The relation of Salvador with the League has experienced a marked change. It was represented at the First Assembly by J. Gustavo Guerrero, minister to Spain and Italy. It then failed to send a delegation to the Second or Third Assembly, but has since been represented in each of the annual meetings.

During the first few years of the League, Salvador engaged in a delicate and at times embarrassing controversy regarding finance and certain of its legal phases. Successive postponements of the question prevented any definite decision having been made before the situation was righted in the natural course of events.

The minister of foreign affairs of Salvador on June 26, 1920, in a communication to the International Labor Office declared that, although his Government had acceded to the Covenant, it did not consider itself bound by the treaty of Versailles and hence not obligated by the provisions regarding the International Labor Organization.[2] The Labor Office on September 28, 1920, informed Salvador of its reasons for considering Salvador a member and therefore obliged to fulfill the obligations imposed by Part XIII of the treaty.[3] Salvador never replied to this communication.

[1] *Records of the Ninth Assembly, Plenary Meetings*, p. 52–53 (*Official Journal*, Spec. Sup. No. 64).

[2] *Records of the Third Assembly, Meetings of Committees, Minutes of the First Committee*, p. 102.

[3] *Industry, Governments and Labor* (World Peace Foundation, XI, Nos. 4–5, p. 36).

The Council considered the question of Salvador's contribution on September 2, 1921, and referred it to the Assembly which in turn referred it back to the Council. On January 14, 1922, the Council, taking note of the covenant of 1921, between Salvador, Guatemala and Honduras to form a union of Central America,[1] decided to postpone the matter until the Secretary-General would be able to present the necessary information on the subject.[2] On May 10, 1922, Salvador took exception to the inclusion of expenses for the International Labor Office in the budget of the League. Salvador had never questioned the right of the League to bear the expenses of the Labor Office and, although it was represented at the First Assembly when the legal relations between the League and the Labor Organization were considered, made no objection to the budget which was then unanimously adopted. The question was referred to the First Committee, which decided that the obligation to bear the expenses of the Labor Organization was a fundamental obligation of the League of Nations and hence was binding upon states which had acceded to the Covenant.

Salvador also objected to the expenses of the League which were not in the strict sense connected with the working of the Secretariat and urged that since the Covenant only mentioned that the expenses of the Secretariat should be allocated, all other expenses were thereby excluded. Salvador also claimed that the financial obligation had been imposed upon it "entirely without its participation." The committee decided against this claim and held that all Members were obligated to contribute to all the legally incurred expenses of the League. The report of the committee stressed the fact that no objection had been made at the First Assembly when the budgets had been approved. The Assembly merely referred this report to the Council without discussion. This same Assembly adopted the revised scale for the allocation of expenses

[1] League of Nations, *Treaty Series*, V, p. 10.
[2] *Official Journal*, III, p. 186.

which the special committee had proposed. This reduced the quota for Salvador to 1 unit and the next Assembly (Fourth, 1923) provided for an adjustment in favor of it and other countries. This apparently satisfied Salvador, which resumed attendance at the Fourth Assembly.

Although it has been represented by only one delegate and in each case by the same individual, he has progressively entered more and more actively in the proceedings of the Assembly. The advantages of sending the same delegates year after year are apparent and Señor Guerrero has become one of the most active and well-informed Latin Americans in the work of the League. He was the most active Central American delegate to the Seventh Assembly where he entered the committee discussions on the private manufacture of arms and ammunition. He spoke before the Assembly in favor of organizing the Council in accordance with the principle of the equality of states and called upon the leading states to renounce their permanent seats on the Council.

This Assembly elected Salvador as a nonpermanent member of the Council for one year.[1] Señor Guerrero was the representative during this service. He was rapporteur on the question of the Memel convention at the 42d session. At the 43d session he was rapporteur regarding the competence of the European Commission of the Danube and proposed the resolution, which was accepted by the Council, that the Permanent Court of International Justice be requested to give an advisory opinion on certain questions relative to the matter. He was also rapporteur on the various transit questions before the Council. At the 44th session he reported further on the railway questions, on identity documents for persons without nationality, on the Third General Conference on Communications and Transit and on the appointment of a commissioner intrusted with the duty of carrying out the provisions of Art. 107 of the treaty of Lausanne. At the 46th session he was rapporteur on communication with the League in

[1] *Records of the Seventh Assembly, Plenary Meetings*, p. 82 (*Official Journal*, Spec. Sup. No. 44).

Time of Crisis and the work of the Third General Conference on Communications and Transit.

At the Eighth Assembly Señor Guerrero again represented his country as the only delegate and again was the most active Central American. He was rapporteur on the question of the cost of living and adjustment of salaries. He was in favor of credits for the liaison with Latin America. He, of course, favored the program for codification of international law, being a member of the Committee of Experts. He supported the proposal to lend financial aid to states victims of aggression. At the Ninth Assembly Dr. Guerrero was the most active of the delegates attending from the Caribbean region. As rapporteur he proposed a draft resolution in regard to overcoming the obstacles which had prevented the holding of a conference on the private manufacture of arms so that it might be convened during 1929. He was rapporteur on the radiotelegraphic station for the League of Nations. He was also prominent in discussions of the First Committee on codification of international law.

At the Tenth Assembly, Señor Guerrero was elected president. His long experience had acquainted him fully both with the problems confronting the League and with the League machinery.

Salvador has established a special section in its ministry of foreign affairs with the special duty of conducting League of Nations matters.

Costa Rica

In the first five sessions of the Assembly, Costa Rica was represented by a single delegate — Manuel de Peralta, minister in Paris. With the exception of such questions as budget quotas, he took little part in the proceedings.

Costa Rica failed to make its annual contributions and the Fifth Assembly adopted a resolution on September 26, 1924, inviting the Secretary-General "to make further urgent representations to Costa Rica, Honduras, Nicaragua,

Peru and Bolivia" regarding their contributions in arrears.[1] On December 24, 1924, the Costa Rican minister in Paris notified the Secretary-General of the intention of his Government to withdraw from the League, effective January 1, 1925, so that it would cease to be a member on January 1, 1927.[2] He inclosed a remittance for $18,667.87 representing the quotas due for the years 1921 to 1925.

The Sixth Assembly adopted a resolution of regret at this action. The French delegate in presenting the resolution on September 22, 1925, said that "the settlement by the Assembly of what is purely an administrative matter led the Republic of Costa Rica to think that the League meant to offer it an affront."[3] Costa Rica ceased to be a member on January 1, 1926.

Señor Urrutia of Colombia as president of the 49th session of the Council suggested that Costa Rica be invited to reconsider its action. The Council authorized the president to communicate with Costa Rica and he forwarded a letter expressing the satisfaction which the members would feel if Costa Rica would reverse its decision and participate once more with the League.[4] On July 18, 1928, the Government of Costa Rica in a letter to the President of the Council pointed out that "the Government of Costa Rica desires, before deciding to accept the invitation . . . , to know the interpretation placed by the League of Nations on the Monroe doctrine and the scope given to that doctrine when it was included in Art. 21 of the Covenant."[5] The letter stated that Costa Rica "regards the noble aims pursued as worthy of support" and that it "would feel honored to cooperate" in the humanitarian and constructive work.

[1] *Records of the Fifth Assembly, Plenary Meetings*, p. 168 (*Official Journal*, Spec. Sup. No. 23).

[2] *Monthly Summary*, V, 1925, p. 8.

[3] *Records of the Sixth Assembly, Plenary Meetings*, p. 101 (*Official Journal*, Spec. Sup. No. 33).

[4] *Official Journal*, IX, p. 432.

[5] *Ibid.*, p. 1607.

On September 1, 1928, the president of the Council, then Hjalmar J. Procopé of Finland, forwarded a reply. This telegram said in part:[1]

Art. 20 stipulates that "the Members of the League severally agree that this Covenant is accepted as abrogating all obligations or understandings *inter se* which are inconsistent with the terms thereof . . . ." Art. 21 gives the states parties to international engagements the guaranty that the validity of such of these engagements as secure the maintenance of peace would not be affected by accession to the Covenant of the League of Nations. In declaring that such engagements are not deemed incompatible with any of the provisions of the Covenant, the article refers only to the relations of the Covenant with such engagements; it neither weakens nor limits any of the safeguards provided in the Covenant. . . .

In regard to the scope of the engagements to which the article relates, it is clear that it can not have the effect of giving them a sanction or validity which they did not previously possess. It confines itself to referring to these engagements, such as they may exist, without attempting to define them: an attempt at definition being, in fact, liable to have the effect of restricting or enlarging their sphere of application. Such a task was not one for the authors of the Covenant; it only concerns the states having accepted *inter se* engagements of this kind.

Shortly thereafter the president of the Council received a telegram to the effect that on September 6, 1928, the Costa Rican council of ministers had agreed "to submit the matter [of resuming membership] to the Constitutional Congress, requesting it to vote the necessary funds for the payment of the contribution involved."[2]

On July 8, 1930, the Congress voted to leave the time and conditions of fresh entrance into the League to the discretion of President Gonzalez. The Congress by a vote of 29 to 11 voted an appropriation of $20,000 to meet quotas of the League budget when the President acts.

[1] *Official Journal*, IX, p. 1608.

[2] *Records of the Ninth Assembly, Plenary Meetings*, p. 130 (*Official Journal*, Spec. Sup. No. 64).

Haiti

Haiti has had a delegation at each session of the Assembly, a record of which only Cuba and Panama of the Caribbean area can also boast. With the exception of the First Assembly, where it had a full delegation, Haiti has been represented by a single delegate, in practically all cases the minister at Paris.

In the fourth plenary meeting of the Third Assembly the delegate from South Africa laid on the table a "Report of the Administrator of South-West Africa on the Bondelzwart Rising, 1922." He informed the Assembly that the Government of South Africa had appointed a special commission of investigation and inquiry and expressed the hope that judgment regarding charges made in the press against the officers and men engaged in suppressing the uprising would be suspended until its report could be published.[1]

At the seventh plenary meeting, Louis Dantes Bellegarde, the Haitian delegate, mounted the rostrum and, expressing hesitation in speaking because of "the modest position of the republic of Haiti in this Assembly," praised the League for the work which it was accomplishing. In concluding his address he called attention to the press reports of a punitive expedition against the Bondels Hottentots. He asked that the League, through the Permanent Mandates Commission, obtain all possible information and concluded: "That women and children should have been massacred in the name of the League of Nations and under its protection is an abominable outrage which we can not suffer."[2] He submitted a resolution that the Assembly express [3]

(*a*) Its profound satisfaction with the official statement made by Sir Edgar Walton, delegate for South Africa, that a full and im-

[1] *Records of the Third Assembly, Plenary Meetings*, p. 38.
[2] *Ibid.*, p. 76.
[3] *Ibid.*, p. 81.

partial inquiry will be made into all the facts of the Bondelzwart rebellion and its repression;

(*b*) The confident hope that the Permanent Mandates Commission, at its next session, will consider this question and be able to report that satisfactory conditions have been established; and that, in the meanwhile, the mandatory power will make every effort to relieve the suffering of the victims, particularly the women and children, and that it will insure protection and restitution of the remaining livestock, and, in general, the restoration of the economic life in the Bondelzwart district.

He later said before the Assembly that

It is for the good of the backward populations in the mandated territories, . . . and in order to raise the inhabitants to a consciousness of their dignity as human beings, that the League has instituted the mandate system and has undertaken to control the administration of these territories. We must, therefore, strive to administer the mandated territories in the best possible manner, and thus create an organization which may serve as an example to all colonial powers.[1]

Bellegarde urged both before the Sixth Committee and the Assembly that the inhabitants of mandated territories be given more direct means of transmitting petitions when they believed themselves to be victims of ill-treatment or injustice.

The Assembly, in adopting the Haitian resolution, concluded with the hope that the right of petition might be defined so as to insure that:[2]

(*a*) All petitions emanating from inhabitants of mandated areas will be sent to the Permanent Mandates Commission through the intermediary of the local administration and of the mandatory power;

(*b*) No petition concerning the welfare of the inhabitants of mandated areas emanating from other sources will be considered by the Permanent Mandates Commission before the mandatory power has had full opportunity of expressing its views.

[1] *Records of the Third Assembly, Plenary Meetings*, p. 155–156.

[2] *Ibid.*, p. 166.

The Haitian delegate to the Fourth Assembly said that it was as a result of M. Bellegarde's "vivid description of the situation in the Bondelzwart district" that the Assembly ordered an inquiry.[1] It certainly directed attention to a deplorable situation, served to focus public opinion and impress upon the mandatory states their international responsibilities. In July, 1923, the Permanent Mandates Commission considered the Bondelzwart rebellion at length in accordance with the resolution of the Assembly, and its conclusions were critical of the administration of the South-West African mandate.[2]

The Haitian delegate proposed to the Sixth Assembly that Members of the League be invited to undertake a revision of their histories "so as gradually to reduce the number of pages devoted to military events and especially those passages in which wars of conquest are justified and held up for admiration."[3]

The Records of the Eighth Assembly contain only a reference to the delegation of Haiti, while those of the Ninth contain a letter expressing Haiti's approval of the reeligibility of Spain on the Council, the delegate having been absent when the question was voted on.

Dominican Republic

The Dominican Republic was not a Member of the League of Nations until 1924. In a speech before the Fifth Assembly the delegate said: "The Dominican Republic, having reestablished its self-government,[4] considers that the first of its international duties is to take its place in the League of Nations as a fresh declaration of its intense desire to remain a completely independent sovereign state."[5]

[1] *Records of the Fourth Assembly, Plenary Meetings*, p. 91 (*Official Journal*, Spec. Sup. No. 13).

[2] See special report, *Official Journal*, IV, p. 1396.

[3] *Records of the Sixth Assembly, Plenary Meetings*, p. 88 (*Official Journal*, Spec. Sup. No. 33).

[4] By reason of the convention of June 12, 1924, with the United States (United States *Treaty Series*, No. 729).

[5] *Records of the Fifth Assembly, Plenary Meetings*, p. 186 (*Official Journal*, Spec. Sup. No. 23).

The republic has been represented in each of the following Assemblies by a single diplomatic agent, who has not taken an active part in the discussions. At the Seventh Assembly he voiced opposition to permanent seats on the Council. The *Records of the Eighth Assembly* merely list the delegation, while the only action recorded at the Ninth was an expression of the gratitude of the American delegations that Spain had resumed its place in the League. The delegation has invariably consisted of either the minister or chargé d'affaires in Paris, the latter being the permanent representative accredited to the League.

Guatemala

Guatemala has been rather inconstant in representation at the annual Assembly. It accredited a full delegation to the first in 1920 but sent no delegate to the Second, Fourth and Fifth Assemblies. At the others the delegation was less than the three representatives permitted. A Guatemalan diplomatic agent in Europe has generally represented his country. No reference occurs to participation in the discussions of the plenary sessions of the committees in 1926 or 1927. The Ninth Assembly records a Guatemalan letter expressing approval of the reeligibility of Spain to the Council, the delegate not being present when the matter was acted upon. Guatemala has named its minister at Paris as the representative accredited to the League.

Nicaragua

Nicaragua has been more or less sporadic in its participation. Although represented at the First Assembly by the chargé d'affaires in Paris, it failed to send a delegation to the Second, Third or Fourth Assemblies. Since that time it has had one or two delegates at each session. It has a permanent representative accredited to the League, who served as delegate at the Fifth, Sixth, Seventh, Eighth, Ninth and Tenth Assemblies. In none did the delegation take any active part.

On August 31, 1929, Nicaragua owed for compounded arrears and for budget quotas from 1923 amounting to 203,364.21 Swiss francs.

Honduras

The rôle of Honduras in the League has been characterized more by nonparticipation than by participation. With the exception of the Fourth Assembly, where it was represented by the chargé d'affaires in Paris, it refrained from sending delegates until the Tenth Assembly, and has cooperated very little with Geneva.

On August 31, 1929, Honduras owed for compounded arrears and for budget quotas from 1923 amounting to 190,958.72 Swiss francs.

3. Summary

While 18 of the 20 Latin American republics have been Members, and 16 are still Members, only 13 actively cooperate in the League's work.

All the Latin American states were Members of the League at the First Assembly in 1920 with the exception of Ecuador, Mexico and the Dominican Republic, although the Argentine delegation withdrew December 6, 1920. At the Second Assembly six Latin American Member states were absent: Argentina, Guatemala, Honduras, Nicaragua, Peru and Salvador. The Fourth and Fifth Assemblies saw Bolivia join Argentina and Peru among the absentees from South America while at the Fifth Assembly Paraguay did not officially accredit its delegate until the 15th plenary meeting. Salvador returned to the Fourth Assembly while the Dominican Republic was admitted as a Member by the Fifth Assembly in 1924.

Argentina, Bolivia, Costa Rica, Guatemala, Honduras and Peru were not represented at the Sixth Assembly nor at the Extraordinary Session of March, 1926. From the Seventh Assembly one more South American nation, Brazil, absented itself while Guatemala was again represented.

The same nations were likewise absent from the Eighth Assembly, while Costa Rica had definitely withdrawn on January 1, 1927. On June 12, 1928, Brazil's withdrawal became effective, the first large state and the second American nation to withdraw. The Ninth Assembly found only five South American states represented, viz., Chile, Colombia, Paraguay, Uruguay and Venezuela, with five not participating. In the Caribbean region Mexico and Costa Rica were not Members while Honduras was not participating. With the exception of Cuba, the participating Governments of this region, however, have been generally represented at the Assemblies by a single delegate. The more constant participation of the Caribbean republics as compared with the South American republics in many cases has been counteracted by inactivity and by representation by single delegates who often remain away from meetings.

The Tenth Assembly in 1929, however, saw all Members of the League except the Argentine represented by delegations. Peru and Bolivia, although not previously participating, sent delegations, and Peru was elected as a nonpermanent member of the Council. Honduras also returned.

In regard to Latin American representation on the Council, Brazil occupied a nonpermanent seat during the first 40 sessions (January 16, 1920, to June 10, 1926). From 1923 to September 16, 1927, Uruguay was a nonpermanent member. Since 1926 Latin America has always been represented on the Council by three states. From the point of view of Latin American cooperation the adoption of that rule was important, although accompanied by the withdrawal of Brazil — the largest Latin American country. Chile, as a result of the rule, secured a three-year term in 1926, Salvador a one-year seat, while Colombia was reelected for two years at the same time. Cuba was elected for three years in 1927, Venezuela in 1928 and Peru by the Tenth Assembly in 1929.

The South Americans have consistently demanded a larger representation on the Secretariat. During recent

years there have been a few Latin Americans appointed to the Geneva staff.

The Latin American Member states have shown a desire to make the League a success. In the early days European problems growing out of the Great War occupied much time of the Council and the Assembly, which has since been directed more and more to world problems of a technical nature. In the early years the question of the Saar, Danzig problems, reconstruction of Austria and Hungary, repatriation of prisoners of war, Aaland Islands, the dispute between Poland and Lithuania, Upper Silesia, Greek refugees, mandates, etc., demanded the attention of the League; since Latin American states had little direct interest in them, Latin Americans were on that account in demand as rapporteurs on these problems. Matters of this type, however, arouse little public interest in Latin America except in a general way.

The absence from the agendas of questions of immediate interest to Latin America has been due in part to the fact that the group of states has not been concerned with many questions of pressing importance to the rest of the world. The reduction of armaments was of comparatively little interest to Latin American states. The conferences on communications and transit, the conference on simplification of customs formalities, the Economic and other conferences elicited no great amount of enthusiasm [1] because

[1] First Conference on Communications and Transit (1921), the following Latin American Governments were represented: Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Guatemala, Haiti, Honduras, Panama, Paraguay, Uruguay and Venezuela.

Second Conference on Communications and Transit (1923), Latin American Governments represented: Brazil, Chile, Colombia, Cuba, Salvador, Uruguay and Venezuela.

Third Conference on Communications and Transit (1927), Latin American Governments represented: Colombia, Cuba (Señor Agüero de Bethancourt, president), Ecuador, Nicaragua, Panama, Salvador, Uruguay and Venezuela.

Conference on Trade in Arms and Ammunitions (1925), Latin American Governments represented: Brazil, Chile, Colombia, Nicaragua, Panama, Salvador, Uruguay and Venezuela.

International Economic Conference (1927), Latin American Governments represented: Brazil, Chile, Colombia, Cuba, Guatemala, Nicaragua, Panama, Salvador, Uruguay and Venezuela.

International Conference for the Abolition of Import and Export Prohibitions and Restrictions (1927), Latin American Governments represented: Chile, Colombia and Cuba.

they did not cope with the immediate problems of American states, which on such subjects have held their own conferences under agendas adjusted to their own peculiar needs. The creation of the Permanent Court of International Justice, the Committee for Communications and Transit, the Permanent Health Organization, the International Institute of Intellectual Cooperation, etc., are of universal interest, and command a cooperation in Latin America quite comparable with that of other similarly developed countries.

Steps were taken in 1927 to bring about a closer cooperation between the League of Nations and Latin America. Members of the Secretariat visited Latin America in the mutual interests of the Health Organization and the states visited. The League's tendency since 1927 has been to give more and more attention to questions of world scope. This has been possible by the gradual elimination of problems growing out of the Great War. The increased participation of Latin American republics at the Assembly of 1929 was undoubtedly partially the result of these two factors.

IV. SPECIAL PHASES OF COOPERATION

THE cooperation of the South American countries through the League of Nations has been neither uniform nor universal. A number of the republics have evinced a sincere desire to further the work of the League within the limits of their capacity. They have not played a decisive rôle in its activities on account of their limited interests, yet the part they have taken has not lacked either dignity or importance. Their cooperation has been in some respects constant and loyal while in others it has been vacillating and uncertain.

In the preceding pages we have discussed in detail the activities of the respective countries. Here various subjects are treated either because they relate generally to the group of countries or require detailed examination.

1. Liaison Office

Liaison offices in connection with the League of Nations may be considered as of four types, each distinct in manner of appointment, in official relationship with the Secretariat and with Member states. These types are: (1) Suboffices of the League Secretariat; (2) Liaison offices of the Information Section; (3) Liaison Bureaus of Member states; and (4) the Latin American Liaison Bureau.

(1) The first type is referred to in League documents and in the early budget schedules as Liaison Offices but are now designated as Suboffices. The London and Paris Suboffices are the only examples. These were created on the initiative of the League, are financed from the League budget and to all intents and purposes are essentially branches of the Geneva Secretariat. Their purpose can be gathered from the statement of the Secretary-General to the Fourth Committee of the Third Assembly. He

explained that the Paris Office was important as a center of distribution, since, in view of the high postal rates in Switzerland, a large amount of Secretariat mail was dispatched from the permanent office at Paris. He also gave as a reason for its maintenance, economies in telegrams resulting from the use of the telephone between Geneva and Paris. Members of the Secretariat were often compelled to go to Paris to interview members of the Council, many of whom reside there. The importance of having official documents available for consultation was quite apparent.[1]

(2) The Liaison Offices of the Information Section are outposts of that section of the Secretariat for the gathering and dissemination of information. They are considered as branches of the section, the personnel being members of the Secretariat working in the field. One important task of such offices is the maintenance of close relations with the press. There are at present offices in London, Paris, Rome, Tokio and Berlin and correspondents in Budapest, the Hague, while one for Turkey is located in Geneva.[2] In recommending the creation of a Liaison Office in Tokio the Secretary-General said that its purpose would serve to keep the associations working for the League and the press in the various countries of the Far East supplied with reliable information concerning the work at Geneva.

(3) The third type of Liaison Bureaus are organized by states Members of the League in their respective capitals or at Geneva. The purpose of these bureaus is to provide for the coordination and the unification of relations between all the governmental services in their respective countries on the one hand, and the Secretariat, International Labor Office, the Council and the various commissions and conferences arising out of the League, on the other hand. These bureaus are financed by each country as part of a

[1] *Records of the Third Assembly, Meetings of the Committees, Minutes of the Fourth Committee*, p. 66–67.

[2] *Official Journal*, IX, p. 1861–1862. A correspondent for China is contemplated.

governmental office, usually the ministry of foreign affairs, and act as channels of communication between the Secretariat of the League and the governmental departments concerned.

The existence of the League of Nations results in an almost continuous series of conferences and committee meetings at which Member and non-Member states find it advantageous to have representatives. As a consequence, many states, especially those geographically distant from Geneva, have found it convenient for the conduct of their international relations to make regular provision for representation at Geneva. This type of bureau was considered by the Second Committee of the Second Assembly, which recommended the establishment of similar offices in as many of the capital cities of the world as possible.[1] It pointed out the useful functions which such bureaus could perform and noted the resulting economies in personnel, time and labor. Greece was the first Member to create a permanent bureau accredited to the Secretariat. Its bureau was established in connection with the Greek legation at Paris on January 1, 1921.[2] The purposes of such representatives were described in a letter by the prime minister of Canada, Mr. MacKenzie King, to the Secretary-General on December 18, 1924. The Canadian Government had decided to create a permanent Dominion of Canada Advisory Office at Geneva "in order to establish and maintain as close relations as possible with the Secretariats of the League of Nations and the International Labor Office." Such an office would enable the Government of Canada to be continually informed "in regard to matters arising from time to time within the sphere of activities of such organizations . . . and generally to act in such matters in an advisory capacity to the Government of Canada and to the Canadian delegates to conferences, and should occasion require, to act as the Gov-

[1] *Records of the Second Assembly, Meetings of the Committees, Minutes of the Second Committee*, p. 180.

[2] *Records of the Third Assembly, Meetings of the Committees, Minutes of the Fourth Committee*, p. 66, 67.

ernment might determine in substitution for a governmental delegate."[1]

There has been little uniformity in the rank of representatives accredited to the League. Some governments have accredited permanent representatives with the rank of ambassador, as for example, Brazil. Others have designated ministers, while still others have appointed a secretary attached to a diplomatic post in one of the European capitals, mostly Bern or Paris. The choice of title to designate a government's representative abroad is fundamentally an affair of each individual state and belongs primarily to the domain of constitutional law. Little significance attaches to the title of the permanent representatives at Geneva. A number of countries maintain a separate diplomatic post at Geneva with its own personnel, distinct from missions to Governments. This was true of Brazil before its withdrawal, and also of Poland, Canada and others. Other countries assign the functions to a special bureau in a legation at one of the European capitals, instances being the Colombian minister at Bern and the Paraguayan minister at Paris.

Diplomatic agents accredited to the League enjoy diplomatic privileges and immunities, although these are not granted by the League but are extended by the Swiss Government. The letter of credence is presented to the Secretariat, which accepts and officially notes it. This procedure is neither new nor novel, although it differs in some respects from that followed by a government in receiving a diplomatic agent of another state. It is essentially the procedure of international conferences. After the full powers of the delegates to a conference have been found to be in good form, the foreign office of the country in which the conference is held usually receives them and in turn grants diplomatic privileges and immunities to those entitled to them. This was true of the Portsmouth Conference where the Japanese and Russian plenipotentiaries possessed full powers to participate in the conference, while the immunities

[1] *Monthly Summary*, V, p. 7.

were necessarily granted by the United States Government in whose territory the conference was held. The only difference, therefore, in regard to diplomatic agents accredited to the League is that the element of permanency has been added. Instead of the privileges being granted for the duration of a particular conference, the diplomatic agents accredited to the League are granted immunities for the duration of their mission.

The Latin American countries which have accredited permanent representatives to the League are Argentina, Chile, Colombia, Cuba, Dominican Republic, Guatemala, Mexico, Nicaragua, Paraguay and Venezuela.[1] Brazil had an ambassador accredited to the League before its withdrawal.

Chile appointed Emilio Bello Codesido in April, 1925, as its permanent representative with the rank of ambassador.[2] Señor Codesido had held many prominent positions previous to his Geneva appointment, among which were minister of foreign affairs, president of the Council, temporarily Chief Executive authority in Chile, former member of Parliament and a delegate to the Pan American conferences.

In May, 1925, the Government of Argentina informed the Secretary-General that it had accredited Julian Enciso, first secretary of embassy, as its permanent representative to the League of Nations. The decree nominating Señor Enciso to the post stated that this appointment was made in view of the importance for the Argentine foreign ministry to obtain, through a diplomatic representative dealing exclusively with such questions, detailed and full information on all activities of the League of Nations.[3] Maintenance of the post has, however, been irregular.

Brazil had as its ambassador [4] at Geneva the eminent statesman Afranio do Mello-Franco, who had been deputy,

[1] *Nine Years of the League of Nations, 1920–28*, p. 19. (World Peace Foundation, XII, No. 1.)

[2] *Monthly Summary*, V, p. 107.

[3] *Ibid.*, p. 127.

[4] The rank was of advantage during his representation in the Council.

minister of foreign affairs, ambassador to Bolivia, president of the Brazilian delegation to the Fifth International Conference of American States at Santiago, and was a member of the Permanent Court of Arbitration.

Thus the A. B. C. states were all represented in Geneva at the same time by permanent representatives of high standing and wide experience.

(4) The fourth type of liaison bureau is unique in many respects. The Liaison Office of Latin America is the only one of its kind and is entirely different from any of the other types. The circumstances under which it was created throw light upon the whole problem of Latin American relationship with the institution at Geneva.

Latin American states have been in accord since the creation of the League in advocating greater national representation in the Secretariat and the International Labor Office, and greater effort to spread information in their countries concerning the League. In May, 1921, there were two Latin Americans in the Secretariat, a Uruguayan in the Mandate Section and a Peruvian in the Information Section, while a Brazilian was an administrative officer in the International Labor Office.[1] Señor Amador of Panama called the attention of the Fourth Committee of the Third Assembly to the fact that there was in the Secretariat at that time only one national of the numerous South American Members of the League.[2]

Delegates of Latin American states frequently declared during the First Assembly and the Barcelona Conference on Communications and Transit that it would be of great advantage if steps could be taken to facilitate the spread of League information in South America. They voiced a common conviction that something should be done to strengthen cooperation between the Secretariat and those republics to disseminate knowledge of the League's work throughout the various republics. This demand seemed to be somewhat unusual, as it amounted to asking the League

[1] *Official Journal*, II, p. 381–395, 398–404.

[2] *Records of the Third Assembly, Meetings of the Committees, Minutes of the Fourth Committee*, p. 63.

to undertake propaganda work in its own behalf. In other countries this function was being performed by private organizations of interested citizens such as the League of Nations' Union in England, L'Association pour la Société des Nacions in France, and the League of Nations Association in the United States. In 1929 only Argentina, Chile, Cuba and Haiti had such societies.

The committee which inquired into the organization of the Secretariat in 1920–21 was of the opinion that the Governments concerned and the Secretary-General should consider the form which the proposed relations should take, especially in view of the great distance which separates South America and Geneva. In order to obtain the necessary data, the Secretary-General decided to send two members of the Secretariat to South America. Their duties were to obtain from the various Governments which they visited, facts and views as to the best method of distributing information in Latin America concerning the League and as to the possibility of establishing an information bureau of the Secretariat there for the purpose. They were also instructed to place themselves at the disposal of the various Governments regarding any League business.[1]

The matter was taken up in the Second Assembly, although nothing definite could be done regarding actual organization before the report of the League mission was received. The Committee of Experts on Organization of the Secretariat recommended that a special branch should be attached to one of the central sections of the Secretariat to deal with all matters concerning Latin America. The staff should be drawn from Latin American states, a greater number of whose nationals should be employed in the Secretariat.[2] Sir Herbert B. Ames, financial director of the League, urged before the Fourth Committee of the Second Assembly the establishment of a Liaison Office on economic grounds, particularly the great saving to be made in cable tolls. He stated that one of the last cablegrams had cost

[1] *Monthly Summary*, I, p. 65.

[2] *Records of the Second Assembly, Meetings of the Committees, Minutes of the Second Committee*, p. 221.

15,000 francs, 70% of which was for Latin American countries. Prince di Scalea of Italy urged the establishment of an office for political and moral reasons. "Such offices", he said, "would help to give the League that political force which would enable it to guide public opinion in all countries." M. Noblemaire of France favored the proposal on account of its moral influence. "Latin America," he said, "complained of being out of touch with the League and the project might result in prompter payment of certain contributions which were overdue."[1] M. Adatci of Japan begged the committee to consider the serious results of an unfavorable vote. The committee favored establishing an office in Latin America by a vote of 14 to 3. The Assembly approved the report and provided 53,065 Swiss francs in its 1922 budget for a "South American office which was to be organized."[2]

The Secretary-General submitted a memorandum to the Council which was approved May 11, 1922.[3] He pointed out the results of the journey undertaken in 1921 by the two members of the Secretariat. He was not able to make a definite recommendation as to the seat of the office. However, it was essential to give effect as soon as possible to the spirit of the Assembly's decision by making an effort to improve the liaison between the central organizations of the League and the states of Latin America. He, therefore, proposed to set up a small office immediately at Geneva, the members of which would be chosen by the Secretary-General from nationals of Latin American states. The appointments would have a provisional character and would terminate at the expiration of one year, so that the Third Assembly would remain free finally to fix the seat of the office.

The Secretary-General in his report to the Third Assembly stated that the correspondence that had followed the action of the Council on May 11, 1922, between the Secretary-General and the representatives of some states

[1] *Records of the Second Assembly, Meetings of the Committees*, II, p. 65.

[2] *Official Journal*, II, p. 1048.

[3] *Ibid.*, III, p. 559.

showed that, although there was the greatest sympathy for the scheme, there was no general desire that appointments should be made immediately. He therefore decided to wait for the Third Assembly in order that the representatives of all of the Latin American states might be consulted on this matter, in which they were so much concerned.[1]

Señor Zumeta of Venezuela, in reply to the chairman of the Second Committee, stated that, "in view of the difficulty of choosing between the 19 states of Latin America, it had been judged by the mission that it would be more efficient and economical if a Liaison Office were established in Geneva. The decision of this question had been left to a committee formed by the various delegates of the Latin American states represented at the Third Assembly. This committee had agreed that two delegates of two Latin American states should each year form part of the staff of this office, returning afterward to South America to act as liaison officers. This system of rotation would allow all of the Latin American republics to be represented within a period of seven years."[2] He, therefore, proposed on behalf of the Latin American Republics represented at the Third Assembly that Item 6 (*b*) 3 "South American Office (53,065 francs)" and the estimate in Item 3 (*c*) "South American office salaries, wages, etc. (44,650 francs)" should be suppressed and replaced by a single Item, "Liaison Office with Latin America (97,715 francs)."[3]

M. Reveillaud of France supported M. Zumeta's proposal. In doing so he noted that "instead of the office in Latin America provided for by the Second Assembly, it was now proposed to create at Geneva a center of instruction for young men from the various states of Latin America. Nothing could be more useful than this excellent method of meeting the criticism that the general public in Latin America was not conversant with the activities of the League."[4] M. Modzelewski of Poland agreed with the

[1] *Records of the Third Assembly, Plenary Meetings, II*, p. 92.

[2] *Ibid., Meetings of the Committees, Minutes of the Fourth Committee* ,p. 66.

[3] *Ibid.*, p. 68.

[4] *Ibid.*, p. 67.

French delegate, remarking that the course proposed would to some extent meet the complaint that Latin America was not sufficiently represented on the Secretariat. Colonel Ward of the British Empire pointed out that the decision of the Supervisory Commission had apparently been to create a branch office in Latin America but that the proposal was of a totally different character.[1] The Secretary-General explained that the mission had been unable to recommend a definite site for the office. In view of the difficulties of communication in Latin America, the mission had recommended that it would be desirable to establish an office in Geneva. Without further discussion, the committee adopted the item, with a modification proposed by M. Zumeta reducing the total to 74,000 francs.

The Third Assembly approved the report of the Fourth Committee that "upon the proposal of all delegations of the Central and South American countries, . . . the Liaison Office with Central and South America should be established in Geneva and not in America. The adoption of a roster would enable the republics in Central and South America to be represented by officials of each nation in turn."[2]

The establishment of an office of this character was, therefore, not the result of League action but of the interested states themselves. While its purpose was to be entirely different from the London or the Paris offices, it belonged to the same general category and was to be established by the League, financed from the League budget, and really a part of the Secretariat. Instead of serving as an administrative branch of the Secretariat, it was to be a training school for young Latin Americans, who, upon the completion of their apprenticeship would return to their home lands to tell of the institution. This, then, was the method chosen by the Latin Americans to combat the lethargy of their publics regarding the League and its activities. Though it was out of keeping with the League

[1] *Records of the Third Assembly, Meetings of the Committees, Minutes of the Fourth Committee*, p. 67.

[2] *Ibid., Plenary Meetings*, II, p. 220.

idea of not conducting propaganda, the plan afforded an opportunity to meet a desire for greater American representation on the staff of the Secretariat and the International Labor Office when appropriate candidates were put forward.

Venezuela and Panama were first chosen by the Latin American states to propose nationals to the Secretary-General as members of the Office, and Manuel Arocha of Venezuela and Cristobal Rodriguez of Panama were appointed for two years. They were assisted by Julian Nogueira, a Latin American member of the Information Section. The bureau started work January, 1923, under regulations approved by the Secretary-General.

The Report to the Fourth Assembly on the work of the Secretariat [1] noted that the Secretary-General had made a practice of consulting the bureau on any question of interest to the Latin American countries and on all such matters the various sections of the Secretariat had invited its cooperation and aid. The bureau had "by means of personal communications assisted the Secretariat in keeping the Governments informed of the progress of such questions as unfair competition, the traffic in opium, amendments to the Covenant, disarmament and the treaty of mutual guaranty. It has given practical attention to the work of the technical organizations of the League, obtaining by similar methods, information concerning epidemiological conditions in Latin America, facilitating the association of Latin American doctors and the interchange of public health officers to be held in the United States in the autumn of 1923, and helping the cooperation of the Latin American Governments in the International Customs Conference to be held in Geneva in October next and in the work of the Organization for Communications and Transit."

The report continued that "the bureau has aided the Information Section of the Secretariat to keep in touch with events and with public opinion in the Latin American countries and to spread information in these countries on

[1] *Records of the Fourth Assembly, Plenary Meetings*, p. 322 (*Official Journal*, Spec. Sup. No. 13).

the work of the representatives of Latin America on the Council and on the various committees of the League. . . . The bureau has also placed itself at the disposal of the Latin American diplomatists accredited in Europe and the United States for the purpose of supplying information regarding the work of the League, and it has, with the same end in view, entered into correspondence with the universities, chambers of commerce, academies and similar institutions in Latin America." The bureau had arranged for a Spanish edition of the *Monthly Summary* to be specially prepared in order to emphasize matters of particular interest to the Latin American countries. The work of the bureau had been of great value to the Secretariat, and the Secretary-General had every reason to believe that it had also been appreciated by the Governments of the Latin American states.

The Fourth Assembly passed a resolution September 28, 1923, intrusting the Secretary-General with the task of studying a scheme for reorganization of the Latin American Bureau, and requesting him to submit the draft to the Members of the League so that the Fifth Assembly might be able to take action. The Assembly noted that the development of this bureau offered an effective means of reinforcing an essential liaison between the governments and the central organs of the League of Nations.

On the same day the Latin American delegates sent a letter to the Secretary-General in which they gave the principles which the delegates had agreed upon as a possible basis for reorganization. This plan was signed by delegates from Brazil, Chile, Colombia, Costa Rica, Cuba, Haiti, Panama, Honduras, Paraguay, Uruguay, Salvador and Venezuela and contained the following provisions:[1]

1. A new Under-Secretary-General, a native of Latin America, will be appointed; his duties, in addition to those assigned to him by the Secretary-General, will be to direct the Latin American Bureau.

[1] *Records of the Fifth Assembly, Meetings of the Committees, Minutes of the Fourth Committee*, p. 323 (*Official Journal*, Spec. Sup. No. 27).

2. The number of members of the bureau will be increased from two to three, appointed for three years; subsequent vacancies will be filled each year, so that the strength of the bureau will never be less than three.

3. Considering that there should be a Latin American member in the principal sections of the Secretariat, the delegates of the Latin American states hope that, as vacancies arise in the sections, the Secretary-General will endeavor to fill them by appointing nationals of the Latin American countries, possessing the necessary qualifications, that he will give the preference when filling vacant posts to the members of the Latin American Bureau and that he will, so far as possible, insure fair representation to the various Latin American countries.

4. As soon as the permanent Secretariat contains a fair proportion of Latin American members, the question of maintaining or reorganizing the bureau will be considered.

They also recommended that the present members of the Latin American Bureau be appointed for a term of three years.

The work accomplished by the Latin American Bureau during the first two years of its existence falls into two parts. The first was the work of confidential and personal contact, the object of which was to strengthen the bonds between persons in Latin America and the Secretariat so as to achieve a better mutual understanding, to exchange information and to give such explanations as were necessary in order to facilitate the common task. It was also to acquaint the people of Latin America with the work of the League and to keep the League in touch with the aspirations of the Latin American countries. The Secretary-General noted in his report to the Assembly that the bureau "has been very highly appreciated by the Secretary-General and the Secretariat of the League who have more than once had occasion to note the excellent results achieved."[1]

The second task was that of collaboration with the technical sections of the Secretariat. The bureau was able to spread its activity to all its sections, so far as concerned

[1] *Records of the Fifth Assembly, Plenary Meetings*, p. 380–381 (*Official Journal*, Spec. Sup. No. 23).

their relations with governments, with public and semi-public institutions and with individuals in Latin America. The members of the bureau, in accordance with rules approved by the Secretary-General, are consulted in regard to all communications to or from Latin America.

The Secretary-General pointed out in his report to the 1924 Assembly that "the bureau has made particular efforts to assist the section of the Secretariat which deals with intellectual cooperation, having regard to the importance which the Latin American countries attach to these questions. The bureau has obtained the collaboration of several of these countries, which have sent valuable information on the present position in regard to intellectual, educational and legal developments and the progress of natural sciences, and the bureau has received assurances that similar information will be regularly supplied in future." The activity of the bureau was particularly effective as regards the statistical publications of the Economic and Financial Sections.[1] The report noted that the bureau had obtained epidemiological information, for the regular publications of the Health Section. This section also had taken the suggestions of the bureau in securing the collaboration of doctors in interchanges of the health staffs, and 15 Latin American doctors had already taken part in them. Through the efforts of the bureau the regular sale of League publications had been organized in the Latin American countries and agencies had been established in the greater number of them. An example of the usefulness of the bureau was given by M. Reveillaud, chairman of the Committee on the Allocation of Expenses, during the debate in the Fourth Committee.

Thus, after it had made numerous unsuccessful endeavors to obtain the budgets of the Latin American states, the Committee on the Allocation of Expenses had had the happy idea of applying to that office. Within a remarkably short space of time — less than two months — the office had supplied it with ten budgets.

[1] *Records of the Fifth Assembly, Plenary Meetings*, p. 380–381 (*Official Journal*, Spec. Sup. No. 23).

This was a noteworthy indication and he had particular pleasure in thus bearing witness in the presence of the Fourth Committee to the value of the Latin American office.[1]

A memorandum submitted to the Fifth Assembly gives the attitude of the Secretary-General regarding reorganization of the bureau in connection with the letter of September 28, 1923. Originally the chief function of the bureau had been to create particular facilities of liaison between the Latin American states, Members of the League, and the Secretariat. When it was finally determined that the seat should be at Geneva, a main consideration was that members of the bureau, after having spent two years in the Secretariat, would return to their several countries and that therefore, by degrees, the various Latin American states would have at their disposal men who were accustomed to the work of the Secretariat and who had a full comprehension of the various activities of the League. "As the greater part of the permanent members of the Secretariat had, by an Assembly decision, received contracts for a considerable period, it was then unlikely that within the next few years there would be more than a small number of vacancies occurring in the Secretariat and therefore it would hardly be practicable to insure for some time to come the presence of an adequate number of nationals of the Latin American states on its permanent staff. During this period the creation of the bureau would at any rate enable the different Latin American states, members of the League, to have in turn a national on the League Secretariat."[2] He was in accord with the views indicated by the Latin American delegates that vacancies in the Secretariat should be filled by nationals of Latin America in so far as possible, but he doubted whether citizens of the Latin American countries should receive preferential rights regarding such vacancies. The memorandum continued:[3]

[1] *Records of the Fifth Assembly, Meetings of the Committees, Minutes of the Fourth Committee*, p. 30 (*Official Journal*, Spec. Sup. No. 27).

[2] *Ibid.*, p. 319.

[3] *Ibid.*, p. 322.

The Secretary-General is strongly of opinion that the appointment of an Under-Secretary-General from a Latin American state would be in the general interests, not only of the Secretariat but of the League as a whole . . . [But he] is inclined to doubt whether an immediate appointment would really be the most advantageous. The possibility, which the Secretary-General hopes may arise, of closer cooperation by the Government of the Argentine with the work of the League and of the entrance into the League of further Latin American states, would appear to deserve attention in contemplating changes of a radical nature in the relations of the Secretariat with Latin American countries. Moreover, additional pressure of work on the Secretariat resulting from increased membership of the League might easily make certain internal rearrangements imperative. In any case, it seems probable that, in the not too-distant future, events may necessitate a considerable reorganization of the higher posts in the Secretariat. It will be realized that it is in connection with such a reorganization that the appointment of a new Under-Secretary-General could most easily be made.

There is one further consideration to which, though it will certainly not have escaped the notice of the Assembly, the Secretary-General nevertheless ventures to draw attention. If and when the Assembly decides upon the appointment of an Under-Secretary-General of Latin American nationality, it will be understood — in conformity with the principle whereby all members of the Secretariat are, under the Secretary-General, responsible to the Council and the Assembly of the League as a whole and not to the Governments of their respective countries — that this decision is taken in the general interests of the League and not in the particular interests of Latin American countries. The Assembly will consequently realize that the first duty of the Secretary-General when called upon to give effect to the decision envisaged above, will be to assign to the new Under-Secretary-General a sphere of work of an international character fully commensurate with the importance of the post. The letter of the Latin American delegates recognizes . . . that the direction of the Latin American Bureau, even reformed along the lines proposed, would not in itself be a sufficient responsibility for an official of the rank of Under-Secretary-General, especially in view of the possible provisional nature of the bureau to which attention is called in the fourth principle set forth in the letter. . . . Consequently, until circumstances make possible the internal reorganization to which reference has been made, the definition of the functions which the new Under-Secretary-General

might properly be called upon to discharge would evidently present appreciable difficulties.

The question of reorganization of the Latin American Bureau was considered by Subcommittee E of the Fourth Committee.[1] The report of the Fourth Committee to the Assembly [2] noted that Latin America could not be accorded exceptional treatment and stated that:

The principle of equality, which should be and is the basis of all our work and discussions, must also be applied to the present question. It is, therefore, essential that the nationals of Latin America should as soon as possible be brought . . . under the general law, and that they should be distributed among the sections, taking their share in all the branches of the Secretariat's work. The committee fully realizes that, apart from official and diplomatic relations — which have their regular mediums in the permanent representative bodies at Geneva, the diplomatic missions in the various capitals, and the foreign offices or ministries of foreign affairs, — the members of the Secretariat constitute natural and in many cases valuable, if unofficial, links between their own countries and the organization which they serve. Latin America also should therefore be brought into line with this system as soon as possible. The committee realized, however, that this change could not be made immediately. A period of transition would have to be allowed in order to pass from the position which we have called an exceptional one to a desirable and normal condition of affairs.

The Fifth Assembly adopted a plan for such a transitional reorganization, as recommended by the Fourth Committee in the following resolution of September 29, 1924: [3]

1. The number of members of the Latin American Bureau shall be increased from two to three.

2. The term of service of the members of this bureau shall be increased from two to three years.

[1] *Records of the Fifth Assembly, Meetings of the Committees, Minutes of the Fourth Committee*, p. 62 (*Official Journal*, Spec. Sup. No. 27).

[2] *Ibid.*, p. 318.

[3] *Ibid., Plenary Meetings*, p. 185 (*Official Journal*, Spec. Sup. No. 23).

3. The Secretary-General shall, when vacancies occur in the general services of the Secretariat, endeavor to secure more appropriate representation for the Latin American states, provided always that the candidates for these posts possess the necessary qualifications.

4. It is understood that the Latin American Bureau, which was constituted in order to meet particular exigencies must not be regarded as a permanent organization. It is desirable that nationals of Latin American countries should be admitted as permanent members in such a way that one of these nationals shall be appointed in each section of the Secretariat.

5. In order that the above scheme may be carried out as rapidly as possible, the Secretary-General shall have power to substitute, upon their expiration or even previously, for the contracts of officials of the Latin American Bureau, contracts as permanent members of section, utilizing for this purpose the funds allocated to the Latin American Bureau, or, if the Bureau cease to exist, a special credit to the same amount, which shall be duly allocated.

The Report to the Sixth Assembly on the work of the Council and the Secretariat noted that the bureau had become a regular and normal part of the Secretariat and it was no longer considered necessary to describe it separately.[1] The budget in Chapter II, Item 6, provided 116,072 gold francs for the Latin American Liaison Office.[2]

This, however, did not silence the Latin Americans in their demand for a larger representation on the permanent staff. M. Barboza Carneiro of Brazil pointed out before the Fourth Committee of the Sixth Assembly the discrepancy between Latin American representation and that of other nations. He said that his appeal, every time credits for the Latin American Office came up for discussion, was assuming the character of a *leit-motiv*. He had explicit instructions to call the attention of the committee to the situation regarding the proportion of Latin American nationals employed in the Secretariat and the International

[1] *Records of the Sixth Assembly, Plenary Meetings*, p. 340 (*Official Journal*, Spec. Sup. No. 33).

[2] *Ibid., Meetings of the Committees, Minutes of the Fourth Committee*, p. 19–20 (*Official Journal*, Spec. Sup. No. 37).

Labor Office.[1] In a comparison between the contributions made by that group of states and the amount paid for salaries of Latin American officials, he noted that Latin America was paying to the League annually 3,271,495 Swiss francs of which only 4.6% went as payment of salaries for the eight officials who were its nationals (150,700 Swiss francs). He contrasted these figures with those of other countries. He said there were ten Austrian nationals in the League offices, receiving an annual total salary of 139,509 francs, or 576% of the states contribution. Great Britain paid annually 2,132,530 francs; 204 officials of British nationality received 2,949,164 francs, or 133% of that contribution. France contributed 1,890,197 francs, while French officials received 2,317,039, or 122% of the country's quota. The Brazilian urged that the Secretary-General should give an assurance that no appointments would be made in the future without the Governments of the Latin American republics being notified that there was a vacancy. He stated that this had become a very serious matter and he felt sure that he was expressing the opinion of the other republics.[2]

The Secretary-General in reply noted that the provision for posts in the Secretariat had been a serious problem for some time. "The Liaison Office," he said, "had been created with the double purpose of strengthening the contact with those distant countries and at the same time serving as a kind of training school where Latin Americans might gain such experience of the activities of the League as might qualify them in due course for permanent appointments in the Secretariat."[3] He stressed the point that members on the Secretariat were not representatives of the Member states and noted the danger of gauging appointments according to contribution. He then noted that two Latin Americans had been added to the staff the previous

[1] *Records of the Sixth Assembly, Meetings of the Committees, Minutes of the Fourth Committee*, p. 19 (*Official Journal*, Spec. Sup. No. 37).

[2] *Ibid.*, p. 20.

[3] *Ibid.*, p. 20–21.

year, — a Chilean to the Health Section and a Colombian to the Latin American Bureau.

A proposal to limit the appointing power of the Secretary-General was defeated in the Fourth Committee, which did approve the proposal that members of the Latin American Office should be eligible for renewal after the expiration of their term of office.[1]

The question was again considered at the Seventh Assembly. In the Fourth Committee there appeared a difference of opinion among the Latin Americans themselves. Señor Zumeta of Venezuela declared that Señores Guerrero, Urrutia and Villegas were the authorized spokesmen for eleven of the Latin American delegations to consider how arrangements for this service could be adapted to the requirements of liaison between the Secretariat and each of those countries individually.

This was objected to by Señor Fernandez y Medina of Uruguay on the ground that the League could contain no group or organization calling itself "Latin American group." Such a group, he said, could never be recognized by the League. Since the Members were sovereign states, no group or entente could be formed except by a formal agreement among the Governments concerned. Such conversations as took place between delegates when they met in Geneva were friendly interviews which did not confer on anyone the right to speak on behalf of others on questions affecting the organization of the budget of the League. It was the representatives of the individual states who must be consulted. This, he emphasized, was a constitutional principle which could not be ignored. He said the Government of Uruguay considered that the existence of a Latin American Liaison Bureau was incompatible with the conception of the Secretariat of the League. If the bureau were retained, it should be noted that Uruguay was opposed thereto. He argued with much force for the respect due to the right of the Secretary-General to be entirely free

[1] *Records of the Sixth Assembly, Meetings of the Committees, Minutes of the Fourth Committee*, p. 253 (*Official Journal*, Spec. Sup. No. 37).

from interference in the selection of the staff.[1] Señor Zumeta agreed that the Latin American Bureau should be suppressed, the Secretary-General to use his discretion in regard to the matter. Upon the suggestion of the Japanese delegate, the item was changed to "Latin American Liaison Service" in place of "Latin American Liaison Bureau." The heading finally accepted and recommended to the Assembly was "Liaison with Latin America." In 1927 C. Rodriguez, of Panama, was permanently assigned to "Liaison with Latin America."[2]

There was likewise recommended a credit of 30,000 francs for "technical investigations to be undertaken in Latin America," in recognition of the advantages to be derived from interesting those countries more directly in the technical activities of the League. The expenditure for the "Liaison with Latin America" was 101,691 Swiss francs in 1927 and 128,618 in 1928, while the estimate in the budget for 1929 was 220,185 and 321,162 for 1930.[3] The later figures included 100,000 francs for technical investigations in Latin America by the Health Committee in 1929 and 200,000 in 1930.

The Latin American Bureau was thus freed of its anomalous character and gradually incorporated into the permanent Secretariat. It developed from a training school for Latin American nationals into an office with a permanent staff of three persons, the chief purpose of which is to deal with problems affecting Latin America and with correspondents of its own. In this form it will undoubtedly continue to serve a useful purpose in harmony with the whole League organization.

2. Participation in Conventions

Altogether, the machinery of the League of Nations has produced in 10 years nearly 100 multilateral conventions in addition to many protocols, treaties and conventions for

[1] *Records of the Seventh Assembly, Meetings of the Committees, Minutes of the Fourth Committee*, p. 24–25 (*Official Journal*, Spec. Sup. No. 48).

[2] *Official Journal*, VIII, p. 422.

[3] *Ibid.*, X. p. 1340.

such specific purposes as the reconstruction of Austria, the protection of minorities or sanitary organization. Some of these documents, though of genuine international importance, on the face of them have little or no interest for the Latin American states, an instance being the agreement for the preparation of a transport card for emigrants of June 14, 1929. The Latin American interest in the migration of population is immigration rather than emigration. Other questions such as the convention of April 20, 1921, on the régime of navigable waterways of international concern may have slight interest to countries without waterways and those without shipping interests. There are, consequently, many reasons why Latin American states should be relatively less interested in intrinsically important conventions than some other states.

Nevertheless, Latin American states as a group often disregard legal precision with respect to international agreements. Costa Rica, for instance, promptly signed the Protocol of Signature of the Statute of the Permanent Court of International Justice and its optional clause in 1921 and nine years later had not ratified. Many other instances of such delays could be cited. Latin American states are generally slow in such matters, partly due to the fact that many of them have only biennial sessions of the congress whose approval is required. However, Latin American states very frequently follow the terms of agreements which they have signed without formal action. This habit accounts in part for the large discrepancy which exists between the signatures which they affix to conventions and the ratifications which they deposit.

With these considerations in mind, it should nevertheless be understood that states have many reasons to debate concerning the value of international engagements to themselves, and no general conclusion should be drawn respecting the inaction of a state in any particular case until examination of the circumstances has been made.

The amount of action taken by the various Governments on proposed amendments to the Covenant is interesting

because the Latin American nations were not entirely pleased with the original draft and favored bringing the League more nearly in harmony with their theory of "equality of states."

The protocol of amendment to Art. 4 of the Covenant (increasing the elective members of the Council) was ratified by 38 states, only seven of which were Latin American. Brazil, Cuba, Haiti, Salvador, Uruguay and Venezuela were the only American states to take the required constitutional action before the amendment went into force on July 29, 1926, Chile having ratified on August 1, 1928.[1] Due to the membership of Brazil and Uruguay on the Council it was necessary for them to take official action before the amendment could be made an integral part of the Covenant. That responsibility probably hastened their action. The amendment to Art. 6 (giving the Assembly control over budget quotas) was ratified by only the two American Governments on the Council before it came into force August 13, 1924, with a total of 36 ratifications. The Brazilian ratification brought it into force. Later Chile, Salvador and Venezuela ratified it.

On September 26, 1924, the amendments to Arts. 13 and 15 (including the judicial method in the forms of pacific settlement) were made a part of the Covenant. Of the 34 ratifications only the Governments of Brazil, Cuba and Uruguay were included. Chile, Haiti and Venezuela ratified each of them after they were in force.

In the 1929 Assembly Great Britain and Peru proposed changes in these articles to bring them into harmony with the general treaty for renunciation of war (pact of Paris). The Peruvian representative, Mariano H. Cornejo, presented a definite proposal to the Council and as a member of the Committee to study the question of amending the Covenant took an active part in developing the proposed changes.

Regarding amendments which have not yet been ratified by a sufficient number of states to make them a part of the

[1] The details are derived from the list published by the Secretariat of the League, the latest available one being in *Official Journal*, X, p. 1773.

Covenant, the same situation prevailed. The six protocols for amending Art. 16 (economic sanctions) have been ratified by Brazil, Chile and Uruguay, all of which have been on the Council. The protocol which was passed by the Fifth Assembly had been ratified by only Salvador, while only Chile had ratified the protocol adopted by the Sixth Assembly in 1925. Art. 26 determines the method of amending the Covenant. It received no more attention from the Latin American Governments. Brazil, Chile, Cuba, Haiti, Uruguay and Venezuela had ratified the three amendments to the article when a total of 35 ratifications were on file at the Secretariat. Protocol 13 providing for the addition of a new paragraph to Art. 26 received favorable action by the same Governments.

The amendment to Art. 393 of the treaty of Versailles concerning the composition of the Governing Body of the International Labor Office was ratified by Cuba on September 7, 1925, by Haiti on November 2, 1925, by Uruguay on April 28, 1928, by Salvador on May 4, 1928, and by Chile on August 1, 1928.

We therefore see that the majority of Latin American states have not taken official action regarding change of the Covenant. All of them, however, which were represented at the Assemblies which passed the protocols for amendments, voted in favor of them. Since none of these countries has refused to be bound by the amendments in force, we can assume that the reason for nonratification was not opposition to the amendments but simply governmental lethargy. The American states have repeatedly advocated changes in the League organization and have urged further democratization of the institution. They have limited themselves to an expression of a desire rather than developed a sufficiently deep interest to prompt affirmative action.

In addition to amendments to the Covenant, the Permanent Court of International Justice may be assumed to have a general interest for all Latin American states. The Protocol of Signature covering its Statute has been ratified

by Brazil, Chile, Cuba, Haiti, Panama, Uruguay and Venezuela; it has been signed but not ratified by Bolivia, Colombia, Costa Rica, the Dominican Republic, Guatemala, Nicaragua, Paraguay, Peru and Salvador. Nicaragua and Peru signed it only in September, 1929, but several of the other signatures had been affixed as early as 1921. The so-called optional clause, by which a state confers upon the Court a compulsory jurisdiction, is binding upon Brazil, Haiti, Panama and Uruguay only among the American states. Brazil completed all the formalities in November, 1921, but it was not until February 5, 1930, that an attached condition was realized. This condition was that the clause became binding for Brazil when it had been accepted by two permanent members of the Council. The clause has been signed by Costa Rica, the Dominican Republic, Guatemala, Nicaragua, Peru and Salvador.

The other conventions made under the auspices of the League have been of varying importance to Latin America, as may be observed by the following notes.

Of the 26 international labor conventions, none had been ratified before 1929 by any Latin American nation except Cuba, which had ratified 16, and Chile, which had approved eight.[1]

There have been nine conventions concluded on the subject of communications and transit. Although some Latin American countries signed each of them (Chile and Uruguay signed all nine), none has been ratified except by Chile, which is bound by four. By way of comparison, the convention on freedom of transit had been ratified by 24 nations prior to December, 1929, only one of which was Latin American.[2]

The record concerning the protocol on arbitration clauses in commercial matters showed that only seven Latin American countries signed, while none of the 20 ratifications was by them.

[1] *Official Journal*, X, p. 1774.
[2] *Ibid.*, p. 1783.

The convention concerning obscene publications has been ratified by none; the one on supervision of international trade in arms and munitions by Venezuela; while the one on customs formalities has not received any ratifications from the Americas.

The convention on traffic in women and children was ratified only by Chile and Cuba while Uruguay acceded on October 21, 1924.

The convention on traffic in opium and other dangerous drugs of January 23, 1912, has been ratified by 47 different nations, 18 of which are Latin American. As to the opium convention of February 19, 1925, none of the Latin American Governments has ratified, while only three, the Dominican Republic, Salvador and Venezuela, have acceded. Of the 40 nations which had signified their adoption of the import certificate system prior to March, 1929, six were Latin American.[1] There have been repeated complaints made by the Advisory Committee on Traffic in Opium and other Dangerous Drugs regarding the difficulty in obtaining information from the South and Central American states. The Council upon the request of the committee invited the Secretary-General to approach the Governments of these countries in order to obtain: [2]

(1) Regular annual reports to be dispatched on October 1 of each year, and to be based on the model form now generally adopted;

(2) Copies of the laws and regulation in force concerning the traffic in narcotics;

(3) Information with regard to the administrative arrangements for enforcing the laws and regulation in vigor and, in particular, information as to the acceptance and application of the import and export certificate systems;

(4) Information as to whether these Governments intend to ratify or adhere to the Geneva convention of February 19, 1925;

(5) Information as to the illicit traffic in narcotics in their respective countries;

[1] *Official Journal*, X, p. 661.
[2] *Ibid.*, VIII, p. 540.

(6) In cases where the Hague convention of 1912 has not yet been ratified and enforced, information as to when such ratification and enforcement may be expected.

Only 20 annual reports had been received from Latin America for the seven years 1921–27.

About the same degree of interest is shown in preparing the ground for the conclusion of conventions. Though the armament question is not of primary concern to Latin America, it is one of the most important problems in the world. The draft treaty of mutual assistance provoked little interest in Latin American countries. To the questionnaire on it, there were 20 replies from European nations, but only one from South America (Uruguay).[1] "The slowness of the American states in replying to the request of the Council was partly due to the fact that the treaty of mutual assistance would not be operative or could not be applied in the future in respect to such states. At the same time they recognized that it was a sacred duty for all civilized people to cooperate against the crime of aggression and acts of international bad faith, and to cultivate their material, economic, financial and moral forces, so far as they were able to save mankind from the horrors of war. . . . The delegates of the American states were certainly of the opinion, and this feeling was shared by American states not represented at the Assembly, that any attempt made in Europe to secure the universal and unreserved application of compulsory international arbitration in order to supplement the provisions of the Covenant would meet with enthusiastic and unanimous support from the American peoples, in view of the fact that the consecration of right by means of justice was one of the most cherished aspirations of all the democracies of the new continent."[2]

The Latin American nations were no more responsive to the recommendations of the Second Assembly relative to

[1] *Records of the Fifth Assembly, Meetings of the Committees, Minutes of the Third Committee*, p. 130 *ff.* (*Official Journal*, Spec. Sup. No. 26).

[2] *Ibid.*, p. 24–25. (Señor Guani, Delegate of Uruguay, before the Third Committee of the Fifth Assembly.)

the reduction of expenditures on armaments. Of the 18 countries which did not answer, 12 were Latin American, four of which were South American. Bolivia, Colombia and Peru reported a reduction, while Brazil and Chile were unable to do so. Chile simply noted that it did not contemplate an increase.[1] This can easily be understood in view of the continental situation regarding armaments, which the American delegates have repeatedly stressed before the League. Chile and Brazil have pointed out on numerous occasions that it was not a question of reduction in America but rather one of limitation of armaments.

3. Finances

One index of cooperation with the League of Nations, as with any other institution, is the regularity with which financial obligations are met and the conscientious fulfilment of budget requirements. The cooperation of the Latin American countries in this respect with the League of Nations has been less satisfactory than that of any other group of nations. The South American nations have a better record, however, than the Central Americans.

The original allocation of expenses of the League was on the basis of the quotas of the Universal Postal Union in which the participants elect the class in which they pay units. The small budget of that union had encouraged small states to choose classes above their relative status. In most other respects also the allocation was not suitable for the League of Nations budget. The Committee on Allocation of Expenses worked on the whole problem from 1920–1924, when definite principles were established.

The balance sheet of the League at the close of the first fiscal year showed a favorable situation in regard to the fulfilment of their quota requirements. There were only four Latin American nations which had not paid their first budget contribution prior to November 26, 1920, these being Argentina, Cuba, Paraguay and Salvador. It was

[1] *Records of the Third Assembly, Meetings of the Committees, Minutes of the Fourth Committee*, p. 82–86.

noted, however, that the contributions of Cuba and Paraguay were in the mail, although they did not arrive in time for the report on the budget to the First Assembly.[1]

Finance has been one League subject about which all Latin American nations have been in accord. This subject divides the honors with that of a greater representation on the Secretariat, for receiving the greatest attention of the delegates of these countries in the Assembly. The question

BUDGET UNITS PAYABLE BY LATIN AMERICAN STATES

Year	1920[2]	1921[3]	1922	1923	1924	1925	1926-1932
Total units	478	437	770	944	932	932	937–986
Unit value	20,920 Sw. fr.	$9,385.01	$5,232.04	$5,248.93	$4,810.09	$4,675.90	$4,722.03[4]
ARGENTINA	5	15	35	(35)	(35)	—[5]	29
BOLIVIA	3	3	5	5	5	5	4
BRAZIL	15	20	35	35	35	35	29
CHILE	5	10	15	15	15	15	14
COLOMBIA	5	3	10	7	7	7	6
COSTA RICA[6]	—	—	2	1	1	1	1
CUBA	3	5	10	9	9	9	9
DOMINICAN REPUBLIC	—	—	—	—	—	1	1
GUATEMALA	3	1	2	1	1	1	1
HAITI	3	1	5	2	2	2	1
HONDURAS[6]	—	—	2	1	1	1	1
NICARAGUA[6]	—	—	2	1	1	1	1
PANAMA	3	1	2	1	1	1	1
PARAGUAY	3	1	2	1	1	1	1
PERU	5	3	10	10	10	10	9
SALVADOR	3	1	2	1	1	1	1
URUGUAY	3	5	10	7	7	7	7
VENEZUELA	3	3	5	5	5	5	5

[1] *Records of the First Assembly, Meetings of the Committees, Minutes of the Fourth Committee*, p. 97.

[2] *Ibid., Minutes of the Committees*, Vol. II, p. 119.

[3] *Ibid.*, p. 127.

[4] The unit for 1926 was $4,722.03; 1927, $4,659.85; 1928, $4,787.39; 1929, $5,288.86; 1930, $5,520.55.

[5] Held over.

[6] Not formal members when schedule was made.

of budget contributions has received the greatest amount of attention from the smaller countries of the Caribbean region, although the other American states have generally supported the same point of view. In fact, this is about the only question which has elicited the active attention of some of the smaller countries. Some have consistently failed to meet their financial obligations. The original budgets applied to Member states the quotas of the Universal Postal Union, which were unsuited to the purpose and were inequitable. There was, therefore, originally a legitimate cause of complaint. There has also been a tendency to compare the allocation of the League budget with that of the Pan American Union, which is divided on a basis in 1930 of $1.10 contribution for each thousand inhabitants.

Señor Restrepo of Colombia before the Second Assembly said that, while it wished to remain a Member of the League and to pay within the limits of its resources, Colombia nevertheless demanded that the committee should make an effort to lighten, as far as possible, this burden for all the smaller countries of South America, if it wished to keep them in the League of Nations.[1] Señor Urrutia of Venezuela also expressed the hope of his Government that the budget would not be increased; the question of finances was not only in the interests of Colombia but also of the League of Nations because human enterprises are often threatened by causes of secondary importance. He thought that the future of the League might perhaps be endangered by questions of a financial nature.[2] Salvador had objected in 1920 and again in 1922 and sent no delegates to the Second or Third Assemblies. Cuba, Costa Rica and Panama also opposed any increase.

The Latin American countries in arrears in their contributions on December 31, 1920, were Argentina, Guatemala, Honduras, Nicaragua, Paraguay, Peru and Salvador.

[1] *Records of the Second Assembly, Meetings of the Committees, Minutes of the Fourth Committee*, p. 88.

[2] *Records of the Third Assembly, Plenary Meetings*, p. 357.

The same was true at the end of 1921, while during the fourth financial year (1922) Bolivia, Colombia, Costa Rica and Haiti were added to the list and Argentina was dropped entirely from the schedule. No reference was made to Argentina in either the report or the budget schedule to the Third Assembly.[1]

The Second Assembly recommended a change in the system of allocation but the Latin Americans were not wholly relieved of what they considered an excessive burden. The revised scale of the Committee on Allocation of Expenses was adopted by the Third Assembly whereby the quotas of Colombia, Costa Rica, Guatemala, Haiti, Honduras, Nicaragua, Panama, Paraguay, Salvador and Uruguay were reduced.[2] Ten out of 14 nations having their quotas reduced were Latin American.

The Fourth Committee of the Fourth Assembly considered the question of arrears and proposed striking out a number of the budget deficits by retroactive application of the new scale.[3] Six Latin American countries profited by this action, viz: Costa Rica, Guatemala, Honduras, Nicaragua, Paraguay and Salvador.

On June 10, 1924, Argentina paid 1,011,355 gold francs for the contributions due prior to and including 1922 and 745,538.40 francs for 1923, although the Assembly had dropped it from the schedule. No payment was made in 1929.

The financial standing in the League of the Latin American countries on August 31, 1929, showed that Bolivia, Honduras, Nicaragua, Paraguay, Peru and Salvador owed for more than the contributions of 1929.[4] Peru headed the list with a debit for all quotas since 1920 with a grand total of 1,461,771.20 gold francs. Honduras and Nicaragua

[1] *Records of the Fourth Assembly, Meetings of the Committees, Minutes of the Fourth Committee*, p. 188 (*Official Journal*, Spec. Sup. No. 17).

[2] *Records of the Third Assembly, Plenary Meetings*, p. 381–382; *Ibid., Meetings of the Committees, Minutes of the First Committee*, p. 74 *ff.*

[3] *Records of the Fourth Assembly, Plenary Meetings*, p. 348–349 (*Official Journal*, Spec. Sup. No. 13).

[4] *Records of the Tenth Assembly, Meetings of the Committees, Minutes of the Fourth Committee*, p. 116 (*Official Journal*, Spec. Sup. No. 79).

owed compounded arrears and contributions since 1922 and Bolivia contributions since 1923. Bolivia owed 630,772.03 francs while Nicaragua owed 203,364.21 and Honduras 190,958.72 francs. Guatemala, Paraguay and Salvador also showed balances due.[1] With the exception of China the only countries in arrears for quotas prior to 1928 were Latin American republics.

When a nation enters the League it undertakes certain obligations, among which are the financial ones. These are legally binding upon it until two years after notification of withdrawal. Since these Latin American nations have never given notice of an intention to withdraw they are still Members and under an international obligation to meet the payments.

The Seventh Assembly considered the problem of non-payment, which had also been taken up at previous Assemblies. A resolution was passed requesting the Secretary-General to give his support to any steps which he might consider useful in recovering arrears and also requesting the Council to cause a study to be made of the legal position of states which do not pay their quotas.[2]

The financial obligations of the states Members of the League arise under Art. 6, par. 5, of the Covenant. This paragraph as now in force (since August 13, 1924) reads as follows: "The expenses of the League shall be borne by the Members of the League in the proportion decided by the Assembly." The Covenant contains no direct provision imposing any sanction or penalty upon a Member which fails to pay its contribution. The legal position of Members in arrears was examined by the Committee on Amendments in 1921. The committee recommended that interest be charged on contributions overdue and that annual statements should indicate those states which were in arrears. The Assembly in 1922 rejected the proposal to charge interest.

[1] *Records of the Ninth Assembly, Meetings of the Committees, Minutes of the Fourth Committee*, p. 162–164 (*Official Journal*, Spec. Sup. No. 68).

[2] *Records of the Seventh Assembly, Plenary Meetings*, p. 142 (*Official Journal*, Spec. Sup. No. 44).

The report of the Secretary-General submitted to the Council, March 9, 1927, on the "Legal Position of States which do not pay their Contributions to the League" stated that "it does not appear reasonably open to doubt that the financial obligation assumed by a Member of the League under Art. 6 is one of the covenants of the League and that the last paragraph of Art. 16 applies formally to violation of this covenant no less than to violation of the more fundamental obligations of the Covenant."[1] The report notes that "the participation of a state Member in bearing the expenses of the League may be regarded as among the least essential of the advantages which the Members in general obtain from the membership of that state. The obligation to make financial contributions is merely ancillary to the maintenance of the permanent organs of the League and a permanent body of officials, and to the conduct of the League's business by means of commissions and conferences. One may conclude that application of the last paragraph of Art. 16 of the Covenant to a state whose contributions were in arrears would hardly be likely to be contemplated by the Assembly or the Council unless the default were so continued and wilful as to indicate a deliberate violation of the financial obligations imposed by the Covenant.

"Apart from the somewhat theoretical possibility of the application of Art. 16 of the Covenant it appears certain that the strictly legal rights (including, for example, the right to vote at the Assembly and eligibility for membership of the Council) which a state derives from membership of the League can not suffer any diminution as the result of default in payment of contributions."

In view of the fact that there has been so much discussion about the financial obligations it might be interesting to note the annual quotas of these various republics. For the sake of comparison, the annual quotas of the same countries for the support of the Pan American Union are also given:

[1] *Official Journal*, VIII, p. 505–508. The paragraph referred to reads: "Any Member of the League which has violated any covenant of the League may be declared to be no longer a Member of the League by a vote of the Council concurred in by the representatives of all the other Members of the League represented thereon."

COMPARISON OF BUDGETS FOR 1929

	League of Nations.[1]	Pan American Union.[2]
ARGENTINA	$153,376.79	$11,711.50
BOLIVIA	21,155.42	3,102.13
CHILE	74,043.97	4,427.43
COLOMBIA	31,733.13	7,279.62
CUBA	47,599.70	3,927.74
DOMINICAN REPUBLIC	1,106.09	987.15
GUATEMALA	5,288.86	2,205.39
HAITI	5,288.86	2,233.00
HONDURAS	5,288.86	770.89
NICARAGUA	5,288.86	701.93
PANAMA	5,288.86	490.71
PARAGUAY	5,288.86	1,100.00
PERU	47,599.70	5,082.00
SALVADOR	5,288.86	1,822.70
URUGUAY	37,021.98	1,892.51
VENEZUELA	26,444.28	3,329.57

4. Cooperation on Health Questions

A consideration of the cooperation of the South American states with the League of Nations can not ignore the Conference of Health Experts on Infant Mortality which met in Montevideo, June 6, 1927.

The Council, with a view to developing technical relations with Latin America, approved the recommendation of the Health Committee to send its president and the medical director of the Health Section to attend a meeting of experts on child hygiene of Latin American countries. The object was to place at their disposal the experience of European experts, to confer with the representatives of the health administrations of the countries visited in regard to the work of the Health Organization [3] and to arrange for

[1] *Official Journal*, IX, p. 1856.

[2] Report of the Director General of the Pan American Union for the Fiscal Year ending June 30, 1928.

[3] *Official Journal*, VIII, p. 1249.

an investigation of the problem of infant mortality similar to that which was being carried on in European countries under the Health Organization.

This was the first conference held on Latin American soil under the auspices of the League. It was attended by a medical expert from each of the following countries: Argentina, Brazil, Bolivia, Chile, Paraguay and Uruguay.[1] The Health Organization was represented by Professor Thorvald Madsen (Denmark), president of the Health Committee, who presided, and by Dr. Rajchmann, League Medical Director, who had charge of the technical secretariat. The experts discussed the methods to be followed in the inquiries which were to be made and it was recommended that the investigation should begin on January 1, 1928, in Argentina, Brazil, Chile and Uruguay in certain selected districts. The methods employed in Europe were adopted with slight modifications.

Sir Austen Chamberlain, President of the Council, remarked on June 15, 1927, that this League meeting on Latin American soil was an event of considerable importance. He said that it was an outward and visible sign of the universality of the League and of the fact that, although its seat was on the continent of Europe and hence the great majority of its meetings were inevitably held on that continent, its Members were none the less anxious to understand and, where possible, to help in solving problems which the more distant countries had to face. He trusted that the meeting at Montevideo might be the first of many such meetings, which could not but contribute to the better understanding of the special interests and points of view of those Members of the League who were, geographically speaking, far removed from its center.[2]

Señor Villegas (Chile), speaking in behalf of the Latin American countries on the Council, said that "the conference furnished a further proof of the interests that the American countries have always taken in the work of the

[1] *Official Journal*, VIII, p. 1249 *ff.*
[2] *Ibid.*, p. 764.

League. He fully agreed with the president that more meetings of this kind should be held in countries, which, though remote from the permanent center of the League, gave it loyal and effective support in the work which it was doing."

Since 1927 some progress has been made in regard to the collaboration of Latin American administrations in the work of the Health Organization of the League.[1] An investigation of leprosy has been made while the system of interchanges and individual missions in Latin America is in operation.

The Eighth Assembly approved a sum of 100,000 francs for "technical investigations in Latin America" and of this 65,000 francs was allocated for the infant mortality inquiry and 18,000 for the sending of foreign experts and for providing fellowships in connection with the School of Public Health and the Leprosy Center at Rio de Janeiro.[2]

The report of the Health Committee submitted to the December, 1928, meeting of the Council noted that steps were being taken to obtain an exchange of information between the Singapore Bureau and the Pan American Union. It pointed out that the "current information supplied by the latter bureau is of special interest and importance to Australia in view of the close commercial relations with the American continent."[3]

Sr. Urrutia noted with regret before the Council in March, 1927, that no Latin American expert was on the Health Committee which dealt with problems of a universal character entirely outside of politics. Dr. Carlos Chagas (Brazilian) was on the committee itself. Sr. Urrutia warned the Council that "if experts [on the Health Committee] from overseas countries were not to take much part in the work which the League has undertaken, they would perhaps turn their attention rather to the continental conferences

[1] *Official Journal*, VIII, p. 1249 *ff.*
[2] *Ibid.*, IX, p. 371.
[3] *Ibid.*, X, p. 80.

which met periodically to deal with questions of health."[1] The appointment of Dr. G. Araoz Alfaro (Argentine) to the committee followed.

5. Pan American Union and the League of Nations

There are two important contacts between the Pan American Union and the League of Nations. The Pan American Sanitary Bureau is cooperating with the Health Section and the Trade Advisor's Office of the Pan American Union is cooperating with the International Labor Office in Geneva.

The representatives of the American republics acting in concert at the International Sanitary Conference in Paris in 1926, secured the recognition of the Pan American Sanitary Bureau on an equal footing with the Health Section of the League. This places the obligation upon the bureau to maintain in the Western Hemisphere an intelligence service for the reporting of communicable diseases comparable to that maintained by the Health Organization of the League in the Eastern Hemisphere.[2]

This is one means by which the Pan American organization and the Secretariat of Geneva may effectively cooperate. Health problems are very important in South America and cooperation in regard to their solution during the past few years greatly improved health and sanitary conditions.

The work of the Trade Advisor's Office of the Pan American Union in the collection of material and information on the organized labor movement in the Americas, such as labor laws, working hours and conditions, has been of great service not only to the students of these subjects but also to the Labor Office. This data and other factors affecting the laboring population such as hours of employment, housing conditions, general movement of labor, causes of strikes, etc., are transmitted monthly by the Pan Ameri-

[1] *Official Journal*, VIII, p. 348.

[2] *Report on the Activities of the Pan American Union*, submitted to the Governments, Members of the Pan American Union by the Director General (Washington, 1927), p. 20.

can Union to Geneva.[1] The International Labor Office itself has published *Legislación social de America Latina*, in addition to its regular labor *Legislative Series*.

These are two examples of regional bureaus assisting the League organization in the collection of information and in the general field of administration. They serve as a very important liaison between the American grouping and the world institution and show how a regional bureau may work effectively with the League in activities of a functional character. It might well be that increased relations between the Pan American Union and the League of Nations will evolve along such lines of cooperation.

6. The Dispute Between Bolivia and Paraguay

One of the most interesting phases of Latin American relations with the League of Nations has been in connection with the dispute between Bolivia and Paraguay in December, 1928, over the Chaco Boundary. War was threatened for the first time in South America since the establishment of the League of Nations. American problems had scarcely been considered by the League. The outstanding problem, Tacna-Arica, had not been examined; an agreement soon afterward (1922) provided for its solution, and it was settled in 1929 by direct negotiations, brought about through the good offices of the United States. The other "American problem" arising since the organization of the League of Nations was the border dispute between Costa Rica and Panama in 1921, settled through the mediation of the United States.[2]

The parties to the 1928 dispute were both Members of the League, although Bolivia had not actively participated since 1922, while Paraguay had consistently been represented at the Assemblies but had not been otherwise very active. The only neighbor of the disputants actively participating in the League was Chile.

[1] *Op. cit.*, p. 5.

[2] See *supra*, p. 120.

Argentina had been interested in settling the boundary dispute through an arbitration commission which had been created through its good offices and which had met in Buenos Aires,[1] and might interpret League action as a usurpation of its rôle in the affair.

After the breakdown of the Buenos Aires conferences [2] in the summer of 1928, various disturbing reports about alleged Bolivian mobilization were circulated. Late in the summer a party of Bolivian officers was arrested in the disputed territory by a Paraguayan patrol. It was stated that all were equipped with maps and instruments for making surveys. On December 6, 1928, a Paraguayan force discovered a group of Bolivian soldiers building a fort on territory which Paraguay claimed. The Bolivians were ordered to leave and when they refused a clash ensued. Two days later Bolivia broke off diplomatic relations with Paraguay. War fever ran high, threatening an outbreak of hostilities.

On December 10, 1928, the Council of the League met in regular session at Lugano. The press was carrying accounts of the border clash of December 8, the break of diplomatic relations and the threatened hostilities between the two South American republics. No official report or appeal from either disputant was received by the Council nor did any third state call attention to the incident as affecting the peace of the world. The Council, recognizing its responsibility under the Covenant, considered in secret session on December 11, the situation as it appeared in the press and requested its president to send the following telegram to the two Governments: [3]

The Council of the League of Nations, meeting at Lugano for its fifty-third session, expresses its full conviction that the incidents

[1] This commission was set up in pursuance to the Gutierrez-Diaz-León protocol which was negotiated in Buenos Aires April 22, 1927, and by which the two countries accepted the good offices of the Argentine Government for the purpose of promoting a solution of the dispute.

[2] *Official Journal*, X, p. 254. The whole correspondence is printed separately as C. 619. M. 195. 1928. VII. 1.

[3] *Ibid.*, p. 21.

which have occurred between two Members of the League of Nations will not become more serious. It does not doubt that the two states, which by signing the Covenant have solemnly pledged themselves to seek by pacific means the solution of disputes arising between them will have recourse to such methods as would be in conformity with their international obligations and would appear, in the actual circumstances, to be the most likely to insure, together with the maintenance of peace, the settlement of their dispute.

Great care was exercised by the Council members in drafting the telegram and it was so worded that an immediate response was not required, if any at all. Neither disputant had brought the incident to the attention of the Council. The Council received a telegram on December 12 from the Bolivian minister in Paris which, after a detailed account of the events, said:

> No nation could subject, even to the highest tribunal in the world, its most sacred attributes, which require that reparation should be made for outrages received before returning to a state of moral equilibrium, which the laws of human dignity impose.

On December 13 an acknowledgment from Bolivia was received by the Council which referred to the "dispute which has arisen between two Members of the League,"[1] and announced the preparation of a further reply. The Paraguayan reply referred to the Council's cablegram as "proof of the lofty spirit of peace governing the deliberations of the Council." It added that Paraguay was "animated with the same spirit and would accept and faithfully fulfill her internatioual obligations." It noted that Paraguay had offered and Bolivia had refused to submit the dispute to the commission of inquiry which had been set up under the Gondra treaty signed at the Fifth International Conference of American States in 1923.

The Bolivian reply, preceded by a detailed "report" of the events, was received December 15, 1928, the final day of the Council session. This contained the following:[2]

[1] *Official Journal*, X, p. 40.
[2] *Ibid.*, p. 71–72.

The Council of the League and your Excellency may rest assured that Bolivia will not depart from the principles and obligations contained in the Covenant. . . .

By an inexcusable surprise blow and in contradiction with the stipulations of Arts. 10 and 13 of the Covenant of the League, Paraguay has committed an agression which we solemnly denounce to the Council, . . . and we declare that Bolivia has no alternative but to demand the satisfaction which is due in such cases and to take military measures of a defensive character to safeguard her security. . . . Until the satisfaction due by Paraguay has been given, it does not seem possible to my Government to allay the excitement of public opinion sufficiently to permit the resumption of peaceful negotiations. I have no doubt that the Council in its impartiality will recognize the justice and sincerity of these explanations and will take note of my Government's declaration of its intention to act on the Council's recommendations and to observe the stipulations of the Covenant. But Bolivia can not agree that, under cover of conciliation proceedings, the agreements providing for judicial arbitration on a concrete and definite basis should be invoked in order to settle the substance of the dispute, or that an attempt should be made to evade the obligation to provide the just satisfaction prescribed by international law and practice in such cases.

The Council, following the completion of its ordinary agenda, considered the affair in private session just before adjournment. It decided upon three steps: replies to both states; communication of the correspondence to all other states; and instructed the President to follow the course of the dispute and to call a special session, "if events showed such a course to be desirable."

The note to the disputant Governments expressed the conviction of the Council that the obligations of the Covenant would be respected and called attention to the fact that states, Members of the League [1]

can not, without failing in their obligations, and notably those contracted under Art. 12, omit to resort by some method or other to one of the procedures of pacific settlement provided for in the

[1] *Official Journal*, X, p. 72.

Covenant. The Council also thinks it well to draw attention to the fact that the Covenant mentions, among others, "disputes as to the existence of any fact, which if established, would constitute a breach of any international obligations, or as to the extent and nature of the reparation to be made for any such breach." The Council wishes to emphasize that in its experience it is most important to confine all military measures of a defensive character to those which can not be regarded as aggressive against the other country, and which can not involve the danger of armed forces coming into contact.

The correspondence was transmitted to all states Members of the League, to the ministers of the United States and of Brazil at Bern and to the ministers of Costa Rica, Ecuador and Mexico at Paris, so as to inform all Governments likely to be interested in the solution of the difficulty of the action taken.

A telegram from the Bolivian minister of foreign affairs dated December 15 again informed the president of the Council that "Bolivia had been obliged to take military measures of a defensive character to safeguard her security." He added that, in view of the concentration of Paraguayan troops, "it is my Government's duty to be prepared." "In conformity with its international obligations," the minister of foreign affairs said, "my Government has hastened to inform the Council of the League of Nations of this new development, which was the natural sequel of the attack directed against us last week. Paraguay is now clearly responsible for a breach of the most solemn international undertakings and has failed in the duties of all civilized nations for the maintenance of peace."[1]

The next day, December 16, M. Briand cabled the Bolivian Government as follows:[2]

The facts which you report to me show still more clearly the dangers to peace created by the contact between military forces

[1] *Official Journal*, X, p. 264.
[2] *Ibid.*, p. 265.

belonging to the two countries on the frontier, and the urgency, to which the Council has drawn your attention, of taking measures to prevent further incidents capable of compromising the success of any peaceful procedure.

I venture to emphasize afresh the suggestions which were made to you by the Council on receipt of your Government's solemn assurances that it would respect the obligations of the Covenant.

The Bolivian Government sent a telegram to M. Briand on December 17 notifying the Council that it had ordered the commanders of the military posts to refrain from any advance and any attack and to confine themselves to defensive measures. It said that Paraguay had decreed the mobilization of the classes from 18 to 28 years and ended by saying that, "Bolivia is confining herself to the measures of precaution essential to her security."[1]

Meantime an American solution for this American problem was being sought. The International Conference of American States on Conciliation and Arbitration had convened on December 10, when this border dispute was becoming dangerous. All of the American Governments except Argentina were represented.

At the first plenary meeting (December 10, 1928) the American Conference took cognizance of the dispute between two of its members. It unanimously adopted a resolution,[2] proposed by Sr. Maúrtua of Peru, expressing the hope that the "differences shall be adjusted peacefully," calling the two Governments' attention to the fact that there existed "adequate and effective organs" at their disposal for the solution of such conflicts, and forming a special committee to advise the conference upon the conciliatory action which "it might render by cooperation with the instrumentalities now employed in the friendly solution of the problem." This action of the conference found favorable echo throughout the Western Hemisphere.

[1] *Official Journal*, X, p. 265.

[2] The International Conference of American States on Conciliation and Arbitration: Washington, December 10, 1928–January 5, 1929 (Washington, 1929), p. 86–88.

Paraguay had ratified the Gondra treaty to prevent conflicts between the American states, which had been signed at the Fifth American Conference in 1923, and immediately notified the permanent commission at Montevideo of the dispute. This commission proceeded to provide a commission of inquiry in accordance with the treaty. The Bolivian delegate was ordered to withdraw from the American conference and was absent from the meeting on December 11 on instructions issued by the acting minister of foreign affairs while the foreign minister was in Antofagasta to meet President-elect Hoover, who was then making his good-will trip to Latin America. Almost immediately after receiving the note of the Bolivian Government notifying him of the withdrawal of Bolivia from the conference, Secretary Kellogg, chairman of the conference, cabled instructions to the American minister at La Paz to urge upon the Bolivian Government, on behalf of the United States and of the conference, that it reconsider its action. The following day, December 12, the President of Bolivia and the foreign minister both ordered the Bolivian delegate to resume his seat, because of "the request of the Pan American Conference on Arbitration and Conciliation and of Secretary Kellogg."[1]

The initiative in the settlement of the dispute was, therefore, taken by the American conference. The special commission composed of Dr. Victor M. Maúrtua of Peru, Dr. Orestes Ferrara of Cuba, Gurgel do Amaral of Brazil, Manuel Foster of Chile and Charles Evans Hughes of the United States met frequently to consider means of averting a conflict. Although the two disputants were invited to be represented on the committee, Bolivia did not authorize its delegate to participate.

The second meeting of the conference on December 14 considered the report of the special committee. The previous day the State Department had received information that Argentina was agreeable to the conference extending its good offices in the crisis and this made the action of the

[1] *New York Times*, December 13, 1928.

committee unanimous so far as the American republics were concerned. The committee reported a resolution proposing that the conference "proffer its good offices to the interested parties for the purpose of promoting suitable conciliatory measures with the aim of preserving the principle of conciliation and arbitration as a solid foundation of international life." The conference adopted this resolution and continued the special committee.[1] The rôle of the conference was that of a tenderer of collective good offices to the two Governments in an attempt to find a course of their own choice to settle the controversy. The boundary dispute proper was not to be considered inasmuch as it was still under the jurisdiction of the Argentine Government.

M. Briand as president of the League Council, upon his return to Paris, entered upon a series of conversations with the Bolivian and Paraguayan ministers and the Latin American representatives on the Council. He also conferred on December 18 with the Argentine and United States chargés d'affaires and handed them an aide-mémoire in which was noted the possible calling of an extraordinary session of the Council to consider "what measures should be taken, either because war has broken out — or because it is on the point of breaking out — between two Members of the League."[2] He observed that neither state appeared to recognize any common contractual obligation not to resort to war other than that arising under the League Covenant, by which both were bound. He mentioned the mediatory measures reported to have been taken by the Argentine Government and by the American conference and pointed out that the Council had not received any official information from either but that the Council, on the other hand, was giving full information regarding the action which it had taken. He concluded:

The President of the Council of the League of Nations, who has been instructed by the Council to follow the development of the

[1] *Proceedings of the International Conference of American States on Conciliation and Arbitration*, p. 80–82.

[2] *Official Journal*, X, p. 266.

dispute, therefore feels that it would be of the greatest importance for the maintenance of peace — the supreme object which all must have in view — that the Argentine/United States Government should inform him what measures could, in its opinion, be the most advantageously taken by all who are working to bring about a pacific settlement of the dispute.

The purpose of the aide-mémoire, M. Briand stated, was that the Council and the other two agencies, Argentina and the American conference, should coordinate their efforts in bringing about a peaceful settlement.

A new clash occurred on December 16 when Bolivia captured Fort Boquerón. Paraguay called up the military classes between 18 and 29 years of age. The following day Paraguay notified the American conference of the acceptance of its good offices and also forwarded a notice of this action to the League of Nations. The next day, December 18, Bolivia accepted the good offices of the conference:

Bolivia accepts the good offices of the Conference of Conciliation and Arbitration, renders homage to the spirit of the Americas and reiterates her adhesion to the principles of justice which inspired her conduct and policy.

On December 19, Bolivia notified M. Briand that, "in accordance with the nobly inspired suggestions of the Council of the League of Nations, Bolivia has now accepted the good offices of the Conciliation and Arbitration Conference at present in session in Washington." M. Briand immediately cabled congratulations as follows:[1]

The Council, all of whose efforts were directed toward preventing any aggravation of the dispute and facilitating a peaceful settlement by any possible method, can not but be gratified at the cessation of a conflict between two Members of the League united by common bonds of race and tradition, and at the favorable reception given to the generous initiative of the Pan American Arbitration Conference. The Council can but trust that the pro-

[1] *Official Journal*, X, p. 267.

cedure to which the two parties have now agreed will lead to the speediest possible settlement of their dispute and the restoration of a good understanding and of peaceful cooperation between them.

The special committee of the American conference, in endeavoring to find a mutually satisfactory person or organ of mediation, considered the chairman of the conference, Secretary Kellogg, Argentina and the Gondra commissions. No suggestion seems to have been made to intrust the task to the League of Nations. The plan which was finally embodied in the protocol signed by the two Governments at the conference, January 3, 1929, provided for a commission of nine, five of whom were to be appointed by the Governments of the United States, Mexico, Colombia, Uruguay and Cuba. This commission was to investigate the facts and endeavor to reconcile the disputant nations. If conciliation should prove impossible, the commission was to publish a report as to the facts found and fix the responsibilities.[1]

The next day the Bolivian Government sent a telegram to its minister in Paris instructing him to "inform M. Briand, President of the Council of the League of Nations, that we have signed a protocol providing for the setting up of a commission as suggested by the Pan American Conference at Washington to fix the responsibility for the Paraguayan aggression. We propose to submit the substance of the dispute for arbitration to the Hague Court."[2]

The replies of the League Members to the communication of the Council, transmitting the complete correspondence in connection with the dispute are interesting. The Venezuelan Government "noted with interest" the action and declared that it will "hail with satisfaction the success of the Council's efforts and hopes that the action undertaken will have the happiest results."[2]

The Uruguayan Government "is happy to possess this evidence of the Council's valuable action on behalf of peace

[1] *Proceedings of the International Conference of American States on Conciliation and Arbitration*, p. 162.

[2] *Official Journal*, X, p. 270.

which brings into prominence the exalted rôle of the League and the admirable spirit of cooperation and concord that animates the distinguished members of its Council, who have so definitely, and by such well-chosen means, upheld the prestige and illuminated the lofty aims of the League of Nations, an institution of which Uruguay has the honor of being a Member."[1]

Nicaragua simply took "note" of the cable. Colombia expressed its indebtedness for the information and said that it had approached the Governments of these countries expressing the hope that peace might be maintained on the American continent. Honduras and Guatemala took note, while Salvador expressed its warm approval of the action taken by the League.[2]

Two of the South American delegates on the Council expressed their pleasure to M. Briand for the success of his efforts. The letter of Sr. Zumeta (Venezuelan representative on the Council) of December 22 read:[3]

> Your notification that Bolivia, in accordance with the Council's suggestions and in conformity with the Covenant, has accepted, as has Paraguay, one of the procedures of pacific settlement provided for in the Covenant, establishes a most encouraging precedent for the maintenance of peace beyond the Atlantic by the harmonious coordination of all the efforts exerted in the direction of mediation and arbitration.

Señor Villegas, the Chilean representative, offered his most cordial congratulations to M. Briand to whose authority he attributed that "these efforts have already produced positive results," which "will play their part in strengthening the prestige of the League of Nations."

Several other Governments as well as a number of foreign ministers, mostly European, congratulated the president of the Council.

[1] *Official Journal*, X, p. 271.

[2] *Ibid.*, p. 272. See the 21 responsive telegrams at the places cited.

[3] *Ibid.*, p. 273.

The mediation of the conference was entirely in conformity with the obligations of Bolivia and Paraguay under the League Covenant. Regionalism has been accepted within the purview of the League structure as an effective method of bringing about practical results. Rather than attempt to evaluate the respective contributions of the League and the American conference toward the solution of the conflict, it would seem appropriate to regard them not as competing organs but as coexisting institutions, supplementing the efforts of each other in the interests of world peace. Both were able to mobilize the sentiment for peace and to give expression to it. The notes addressed to the two Governments by both were not the official voices of individual Governments but something far more important, the expression of the world's public opinion. The American conference expressed the unanimous opinion of 19[1] American republics (Argentina, although not a member approved the action of the conference) while the League Council, composed of 14 states, was representative of 54 nations and was the official body to speak for them.

The Commission of Inquiry and Conciliation reported on September 21, 1929, in accordance with the protocol of January 3. The detained nationals of Bolivia and Paraguay had been repatriated; the second function of the commission, conciliation, had been effected, and it became unnecessary to render a report and to establish the truth of the matter investigated and the responsibilities. But they recorded that Paraguay's measures at Vanguardia caused the armed reaction of Bolivia. The neutral commissioners had secured from the delegations of Bolivia and Paraguay acceptance of the proposition that the fundamental question be examined, and for this purpose a draft convention for arbitration was submitted to the parties. They accepted it in principle, but the lapse of the full powers of the Bolivian commissioners prevented its signature. That question was, therefore, remitted to the Bolivian and Paraguayan Governments, the neutral commissioners closing their procedure

[1] The acceptance of its program by the disputants was, moreover, explicit.

with a resolution recommending their own Governments to proffer their friendly offices to the parties in the event that they might be of service. The Governments of Mexico, Colombia, Uruguay, Cuba and the United States duly received this resolution.[1]

The Uruguayan Government then undertook actively to aid the disputants, and for several months the question seemed to be pursuing a normal course toward solution. On January 16, 1930, Bolivian and Paraguayan troops encountered each other at Isla-Poi (Isla-Dans) in the Chaco Boreal. A Paraguayan soldier and a Bolivian dragoon leader were killed in a fracas said to have been between 60 Paraguayan soldiers and 15 Bolivians. On January 21, the Paraguayan delegate to the League reported his version of the conflict to the Secretary-General, alleging "that the Bolivian Government is apparently seeking, by sanguinary incidents, to occasion a new dispute that would enable it not to accept the good offices of the American nations which are at present being directed toward the pacific settlement of the dispute relating to the frontiers." The Paraguayan Government desired "once more to show its sincere attachment in this case to a policy of international peace and agreement." This was followed by a telegram containing a translation of an intercepted cipher telegram containing instructions from the Bolivian general staff, concerning which the Paraguayan delegate "formally protests against this attempt which has been secretly prepared by the Bolivian Government." The Secretary-General transmitted these messages [2] to the acting president of the Council, Auguste Zaleski, Polish minister of foreign affairs, who on January 23 recalled to them that they had "adopted a pacific procedure for the settlement of their dispute in conformity with the undertakings of the Covenant." On behalf of the Council and the whole League of Nations, he expressed "to both Governments our confidence that no

[1] *Report of the Chairman of the Commission of Inquiry and Conciliation, Bolivia and Paraguay* (Publications of the Department of State, Latin American Series, No. 1); reprint, *Bulletin of Pan American Union*, Vol. LXIII, p. 1078.

[2] League of Nations Document, C. 122. M. 40. 1930. VII. 1.

serious incident will compromise success of pacific procedure in course."

The Bolivian delegate to the League telegraphed from Rome on January 22 that he had no official information regarding the incident, but imputed responsibility therefor to Paraguay. On January 24, in the name of his Government, he made "a formal protest to the League of Nations against the false information" received by it. "My country, faithful to the conciliation agreement to which it subscribed at Washington . . . has never for a moment departed from the line of conduct traced for it by its duties as a Member of the League and awaits the peaceful execution of the formula proposed by the Uruguayan chancellery, which it accepted immediately." On January 25, the Bolivian minister for foreign affairs cabled to the Secretary-General confirming the protest already made and assuring him "that the peace of America will never be disturbed by the fault of this country." Later in the day he denied that Bolivia had provoked the incident and alleged that Paraguay had attacked.

On January 28, M. Zaleski telegraphed the Secretary-General a message circulated to the members of the Council and to disputant Governments. He thanked the Secretary-General for communicating the two telegrams from the Bolivian Government in which it stated "that the peace of America will not be disturbed by Bolivia, which only desires the peaceful execution of the Washington conciliation agreement to be continued." This record that one of the states concerned was peacefully inclined was circulated to all Members of the League.

When this telegram reached Asunción, the Paraguayan minister of foreign affairs immediately replied requesting the Secretary-General "to inform the president that my country has never departed from pacific procedures, that it is not responsible for the incidents which have occurred in the Chaco Boreal, and that it has denounced them at the proper moment to the Council." This telegram was received at Geneva on January 30, and on the 31st the Secre-

tary-General quoted to the disputants and the members of the Council a further telegram from M. Zaleski in which he stated: "Since a similar statement has been made by Bolivia, I believe I can express to both Governments the Council's earnest desire that the two nations which accepted its suggestions and, thanks to the good offices of friendly nations, adopted a formula for the settlement of the 1928 incidents, may also succeed in finding means of settling all questions connected with the Chaco and thus avoid the occurrence of similar regrettable incidents."

The engagement of both parties not to depart from pacific procedures enabled the mediatory efforts under way in South America to proceed. On the suggestion of the president of the Council, all the correspondence with Geneva was printed and circulated to the world, thus effectively confirming to public opinion the deliberately announced attitude of the parties.[1]

Uruguay was consequently enabled to continue its mediatory functions, and shortly afterward secured a resumption of diplomatic relations.

[1] See document cited above and *Official Journal*, XI, p. 261.

V. RELATIONS WITH THE INTERNATIONAL LABOR ORGANIZATION

THE Commission on International Labor Legislation, appointed by the Preliminary Peace Conference on January 31, 1919, was "composed of two representatives apiece from the five great powers and five representatives to be elected by the other powers represented at the Peace Conference." The five representatives of the states other than the "great powers" were two representatives appointed by Belgium and one each by Cuba, Czechoslovakia and Poland. Latin America was represented in the founding of the International Labor Organization by a Cuban representative.

On April 11 and 28, 1919, the report of the commission was considered by the Preliminary Peace Conference at the plenary sessions. At these sittings the Latin American delegates spoke on only one point. On Art. 37 of the draft convention, which proposed that amendments should be effective when ratified by a certain proportion of states, Sr. de Bustamante of Cuba made reservation, pointing out that if, as a result of ratification by some states, the amendments became binding even on those which had not ratified them, the power to legislate would have been thereby delegated a thing incompatible with the Cuban Constitution. He was heartily in favor of the draft as a whole. The delegates of Bolivia, Ecuador and Panama concurred. The reservation to the draft convention, however, was not formally maintained against the final provision in Art. 422.[1]

Before the opening of the Washington conference of 1919, which inaugurated the International Labor Organization, the question had arisen as to what states should be represented. Should only those states be admitted which at the time of the conference had either ratified a treaty of

[1] International Labor Office, *Official Bulletin*, Vol. I, p. 301.

peace or had adhered to the Covenant, or should all states mentioned in the annex to the Covenant of the League be included? As there could be no question of postponing that session of the conference until the treaty of Versailles came into force, the Government of the United States, which was charged with the duty of convoking the conference, invited the 45 states mentioned in the annex to the Covenant to participate. The Latin American states concerned were:

Signatories to the treaty — Bolivia, Brazil, Cuba, Ecuador, Guatemala, Haiti, Honduras, Nicaragua, Panama, Peru and Uruguay;

Invited to adhere to the Covenant — Argentina, Chile, Colombia, Paraguay, Salvador and Venezuela.

Thus, 17 Latin American states were original members of the International Labor Organization. Ecuador did not continue, and Costa Rica and the Dominican Republic became members in 1920 and 1924 respectively.

The International Labor Organization according to the preamble of its constitution exists to combat those conditions of labor which involve "such injustice, hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperiled." Its lines of interest are broadly indicated in a series of nine general principles. The members of the organization cooperate to overcome "the obstacle in the way of other nations which desire to improve the conditions in their own countries" that is represented by "the failure of any nation to adopt humane conditions of labor." The salient feature of the organization is the representation of all parties interested in the problems considered by its two organs, which are the annual sessions of the Conference and the Governing Body, directing the work of a secretariat known as the International Labor Office. In each of these organs the member Governments, which can speak for the general interests of their national publics, are represented by 50% of the membership. Employers and workers provide the other 50% in equal moieties. Voting arrangements are by majority, so that decisions are taken on the merits

LATIN AMERICAN REPRESENTATION IN SESSIONS

(Each delegation to be complete should consist of 2 Government

	1			2			3			4			5		
	1919			1920			1921			1922			1923		
	G.	E.	W.	G.	E.	W.	G.	E.	W.	G.	E.	W.	G.	E.	W.
Argentina	2	1	1	1	1	1	–	–	–	–	–	–	2	0	0
Bolivia	1	0	0	–	–	–	1	0	0	–	–	–	–	–	–
Brazil	2	0	1	–	–	–	2	0	0	2	0	0	2	1	1
Chile	2	0	0	1	0	0	1	0	0	2	0	0	2	0	0
Colombia	1	0	0	–	–	–	1	0	0	1	0	0	1	0	0
Costa Rica				–	–	–	–	–	–	–	–	–	–	–	–
Cuba	2	1	0	–	–	–	2	0	0	2	0	0	2	0	0
Dominican Republic	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Ecuador	2	0	0	–	–	–	–	–	–	–	–	–	–	–	–
Guatemala	2	1	1	–	–	–	1	0	0	1	0	0	–	–	–
Haiti	1	0	0	–	–	–	–	–	–	–	–	–	–	–	–
Honduras	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Nicaragua	1	0	0	–	–	–	–	–	–	–	–	–	–	–	–
Panama	2	1	1	–	–	–	–	–	–	–	–	–	–	–	–
Paraguay	2	0	0	–	–	–	–	–	–	1	0	0	1	0	0
Peru	2	1	1	–	–	–	–	–	–	–	–	–	–	–	–
Salvador	1	0	0	–	–	–	–	–	–	–	–	–	–	–	–
Uruguay	2	0	0	1	0	0	2	0	0	2	0	0	2	0	0
Venezuela	2	0	0	1	0	0	1	0	0	2	0	0	2	0	0

OF THE INTERNATIONAL LABOR CONFERENCE

delegates, 1 employers' delegate and 1 workers' delegate.)

6			7			8			9			10			11			12		
1924			1925			1926			1926			1927			1928			1929		
G.	E.	W.	G.	E.	W.	G.	E.	W.	G.	E.	W.	G.	E.	W.	G.	E.	W.	G.	E.	W.
2	1	1	2	1	1	2	1	1	2	1	1	2	1	1	2	1	1	–	–	–
–	–	–	1	0	0	–	–	–	–	–	–	1	0	0	1	0	0	1	0	0
2	1	0	2	1	0	2	1	1	2	1	1	2	1	0	2	1	1	2	1	1
2	0	0	2	1	1	2	1	1	2	1	1	2	1	1	2	0	0	2	1	1
–	–	–	1	0	0	–	–	–	–	–	–	1	0	0	2	0	0	2	0	0
–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
2	1	1	2	1	1	2	1	1	2	1	1	2	1	1	2	1	1	2	1	1
–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	1	0	0
–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
1	0	0	–	–	–	–	–	–	–	–	–	1	0	0	1	0	0	–	–	–
–	–	–	1	0	0	–	–	–	–	–	–	–	–	–	–	–	–	1	0	0
–	–	–	1	0	0	–	–	–	–	–	–	–	–	–	–	–	–	2	0	0
–	–	–	1	0	0	–	–	–	–	–	–	–	–	–	1	0	0	1	0	0
1	0	0	–	–	–	–	–	–	–	–	–	–	–	–	1	0	0	1	0	0
–	–	–	1	0	0	–	–	–	–	–	–	–	–	–	1	0	0	1	0	0
–	–	–	1	0	0	1	0	0	1	0	0	–	–	–	1	0	0	1	0	0
–	–	–	–	–	–	–	–	–	–	–	–	1	0	0	1	0	0	1	0	0
1	0	0	1	0	0	2	0	0	2	0	0	2	1	1	2	1	1	2	1	1
–	–	–	1	0	0	1	0	0	1	0	0	2	0	0	2	1	1	2	1	1

of a question as it appears to a fully representative voting body.

The participation of the Latin American republics in the activities of the International Labor Organization will be considered on the basis of representation in the sessions of the Conference. The varying degrees of participation are in large measure accounted for by the amount of interest taken by the individual countries in the subjects dealt with.

The first session of the International Labor Conference was opened in Washington on October 29, 1919.[1] The Latin American republics were represented by 16 delegations, of which 4 were complete.

At this session of the Conference the difficulty which international organizations often have in appeasing national pride soon became evident. On November 25, 1919, the result of the election for members of the Governing Body of the International Labor Office was announced. This consists of 24 members, — 12 of whom are selected by the Governments of the member states. Eight of the Government representatives are always from the states of the greatest industrial importance, and the other four are chosen by the Government delegates of the other states represented at the Conference. Of the other 12 members, six are employers and six are workers, elected respectively by the employers' and workers' delegates at the Conference. This Governing Body prepares the agenda and controls the International Labor Office, and is, in a sense, the executive body of the organization.[2] The election showed that Argentina was the only Latin American state chosen to be represented in this important body.[3]

Dr. Carlos Carrera Justiz, the Government delegate of Cuba, immediately protested and presented a memorandum signed by the delegates of all the Latin American states registering their disagreement with the distribution which, "on the basis of reason and discretion, would appear not to

[1] *International Labour Conference*, First Session, 1919.

[2] For description of its functions see *Industry, Government and Labor*, p. 60. (World Peace Foundation, XI, No. 4–5.)

[3] *International Labour Conference, First Annual Meeting*, p. 131.

have been given sufficient attention if, out of the 24[1] places in the International Labor Office, 23 (*sic*) were assigned to the European nations, to the United States and to Japan, leaving only one to be allotted to the Latin American countries." To this Dr. Garcia of Ecuador added that "of 120 members that have composed the committees to study the different matters of this international conference, 100 have been Europeans, two from Spanish-American countries [2] and the balance have been divided among the rest of the world."

On November 29, 1919, the Latin American delegates were found solidly behind the resolution presented by Mr. Gemmill (South Africa) that "this conference expresses its disapproval of the composition of the Governing Body of the International Labor Office, inasmuch as no less than 20 of the 24 members of that body are representative of European countries." The vote showed 44 votes for, 39 against, with all the Latin American delegates voting for the resolution.

In 1922 an amendment to Art. 393 was adopted by 82 votes to 2. When it is effective, the Governing Body will be increased to 32 members, instead of 24. Of this enlarged body, one-half would be persons representing Governments, one-fourth persons representing employers, and one-fourth representing workers. Of the states upon the Governing Body eight would be, as before, the eight states of chief industrial importance, with eight instead of four to be selected by the Government delegates present at the Conference during which the election takes place. Under Art. 422 of the treaty, this amendment enters into force when ratified by three-fourths of the Member states, including those represented on the Council of the League.

By 1930 the total number of ratifications deposited with the Secretariat of the League of Nations was only 40, whereas 42 ratifications were necessary to make the amend-

[1] The election did not affect 24 places, but the four places reserved for elected Government delegates, after eight out of 12 Government seats were assigned to the states of "chief industrial importance."

[2] At least seven were from these countries.

ment effective. Of 33 states in 1927, only Cuba and Haiti of the Latin American states had signified ratification. Thus, the group which had, by memorandum in 1919 and later by vote, expressed a desire for this amendment were really preventing it from being an actuality.[1] By 1929 Italy's and Venezuela's ratifications were required to make the requisite 42 include the states represented on the Council.[2]

There were 12 draft conventions and recommendations passed at this first session at Washington, to which none of the Latin American states registered disapproval.

The second session, at Genoa in June–July, 1920,[3] dealt exclusively with problems relating to seamen, and it is not surprising to find that only four Latin American delegations were present, none of which was complete. Nor did the Latin Americans present play a large rôle, although Sr. Colmo, the Government delegate of Argentina, was prominent in the fight for the inclusion of an eight-hour day for sailors. Again, the Latin American states did not oppose any of the draft conventions and recommendations adopted.

At the third session held at Geneva in 1921,[4] questions concerning agriculture dominated the agenda. The Latin American states represented were eight in number, all delegates being governmental. No votes in opposition were registered by the Latin American delegates to the draft conventions or recommendations adopted. The vote on the draft convention "concerning weekly rest in industrial undertakings" stood 73 for and 24 against. Many of the larger states were included in those opposed, but all the Latin American delegates voted in favor.

At the fourth session held at Geneva in 1922,[5] eight Latin American states were again represented by Government delegates alone. On the proposal of Señor Rivas-Vicuña,

[1] *Report of the Director*, 1927, p. 25.
[2] *Ibid.*, 1929, p. 26.
[3] *International Labour Conference*, Second Session, 1920.
[4] *Ibid.*, Third Session, 1921.
[5] *Ibid.*, Fourth Session, 1922.

the Government delegate of Chile, the Conference adopted a resolution by which the Governing Body, when it considers that a question on its agenda is of particular interest to a state which is not represented on the Governing Body, may invite the Government of that state to appoint a delegate to take part in the discussion on that question, but without the right to vote. This was in keeping with Art. 4, par. 5, of the Covenant of the League of Nations in regard to the powers of the Council.

In his report to the session the Director of the International Labor Office stated that many states were slow in meeting their monetary obligations for the upkeep of the Organization. Up to September, 1922, he said, the following Latin American states had not paid any part of their contribution for the year 1922: Bolivia, Colombia, Costa Rica, Cuba, Guatemala, Haiti, Honduras, Nicaragua, Panama, Paraguay, Peru and Salvador. Furthermore, many states had not paid, at that time, for the year 1921: Argentina, Colombia, Costa Rica, Guatemala, Honduras, Nicaragua, Peru, Paraguay and Salvador.[1]

The fifth session, held at Geneva in 1923,[2] was a short session, due to the decision of the Governing Body to change the date of meeting from October to June of each year. Argentina was represented at this session for the first time since 1920. Again eight Latin American states attended, Chile having the only complete delegation.

The sixth session held at Geneva in June–July, 1924,[3] under the new and permanent provisions as decided upon by the Governing Body at the 1923 session, was attended by seven Latin American states, two of which sent complete delegations. During the session Señor Quezada (Chile) made an appeal for more constant and effective propaganda in Latin American countries for the International Labor Organization and stated that a visit by the Director of the Office to South America would be extremely beneficial in

[1] *Report of the Director to the Conference*, Fourth Session, 1922, p. 683. This report is after 1922, printed as Vol. II of the Conference records.

[2] *International Labour Conference*, Fifth Session, 1923.

[3] *Ibid.*, Sixth Session, 1924.

increasing interest there in the International Labor Office. Señor Negri (Argentina) heartily supported the invitation to the Director.[1] Such a visit was made in 1925.

It was announced that up to March 31, 1924, the following states had not paid any part of their contribution for 1923:[2] Bolivia, China, Colombia, Costa Rica, Honduras, Liberia, Nicaragua, Panama and Peru; and that Argentina, Costa Rica, Honduras and Nicaragua had not paid any part of their contributions due for 1921 and 1922.

Due to pressure from the International Labor Office for more complete representation at the Conference, the Latin American states showed a stronger representation at the session at Geneva in 1925 [3] than they had since 1919. The Latin American representation was from 13 states, three delegations being complete.

In a discussion as to the reason for the lack of complete delegations from Latin America, Carlos Y. F. Conci, Argentina's workers' delegate, said: "In many countries, and particularly in mine, the working men have not unlimited confidence in the International Labor Office, because they fear that it is an instrument of capitalism."[4] Sr. Zumeta of Venezuela added that:[5]

> With regard to the question of incomplete delegations, there are no employers' associations at all in my country and, apart from certain mutual benefit societies, there are no workers' organizations except a certain number of quite local groups recently created. . . . If the Venezuelan Government has not sent any non-Government delegates, the reason is that they could only be appointed under conditions which are contrary to Part XIII of the treaty . . . [The delegation] would be morally incomplete, for it would merely represent certain personal opinions or the opinions of certain local groups, and not the real opinions of the employers and workers of the country.

[1] *International Labour Conference*, Sixth Session, 1924, Vol. I, p. 41 *ff.*
[2] *Report of the Director*, 1924.
[3] *International Labour Conference*, Seventh Session, 1925.
[4] *Ibid.*, p. 152.
[5] *Ibid.*, p. 175.

It was at this session that there first appeared any opposition by Latin American states to draft conventions, having hitherto played a quiescent part in the passage of such documents. The draft convention concerning night work in bakeries was opposed by 26 votes, in which were included those of Argentina and Chile. They took the stand that "the baking industry is not one which is subject to international competition" and that "the difference between the baker who is the employer or who is a worker is so slight that it is exceedingly difficult to draw any line of demarkation."[1]

In his report to the session the Director of the International Labor Office announced that the Dominican Republic had entered the League on September 29, 1924, and thereby had become a member of the International Labor Organization. He called attention to the action of Costa Rica in having given notice on January 1, 1925, of retiring from the League and that it would cease to be a member of January 1, 1927. The Director also informed the conference that, inasmuch as Ecuador had not ratified the treaty of Versailles, it was considered that it should no longer be maintained on the list of the members of the Organization.[2]

The eighth session held at Geneva in 1926 [3] dealt with the inspection of emigrants on board ship. A questionnaire had been sent out by the Labor Office regarding the question of the "simplification of the inspection of emigrants on board ship." Twenty-seven countries answered this questionnaire, of which only three were Latin American, namely, Argentina, Brazil and Cuba. Seven Latin American states were represented, four by complete delegations.

Inasmuch as the Governing Body's term of three years had expired, elections were held at this session for new members. Since the amendment to Art. 393, which had been adopted in 1922, was not in effect, the election was

[1] *International Labour Conference*, Seventh Session, 1925, p. 345.

[2] *Report of the Director*, 1925.

[3] *International Labour Conference*, Eighth Session, 1926.

carried out under the original plan and for 24 members only. The election returned Argentina to the Government group. On the Employers' Group and the Workers' Group the Latin American states remained unrepresented.

The ninth session, also held at Geneva, 1926,[1] like the Genoa one of 1920, dealt with questions concerning the sea and seamen. Seven Latin American states, which took no important part in the discussions, were represented, four by complete delegations.

The tenth session was held at Geneva in 1927.[2] For the first time Uruguay had a complete delegation present, making four of the 10 American states represented with full quotas.

The 11th session showed an improvement. Fourteen of the Latin American republics were represented and Brazil sent a complete delegation although it withdrew from the League June 13, 1928, while the session was in course. The head of the Argentine delegation, Dr. Carlos Saavedra Lamas, was elected president. The Governing Body was elected for a third time, but on this occasion the Latin Americans made no complaint about the choices.

The 12th session in 1929, though Argentina was absent, was attended by 15 Latin American delegations, of which five were complete.

A clear idea of the participation of the American republics in the International Labor Organization can be gathered from the following table. Out of 12 sessions there have been only five in which as many as a majority of Latin America had representatives present. Those in which a majority of the Latin Americans were present were that of 1919, when the flush of the Great War still tinged the imagination of the world in general; in 1925 when the Director of the International Labor Office made a visit to South America; and the last three, before which special efforts to secure attendance were made.

[1] *International Labour Conference*, Ninth Session, 1926.
[2] *Ibid.*, Tenth Session, 1927.

ATTENDANCE AT THE CONFERENCE OF THE INTERNATIONAL LABOR ORGANIZATION

YEAR	Total Delegations	Complete Delegations	LATIN AMERICA		
			Complete Delegations	Total Delegations	Absentees
1919 . .	40	24	4	16	4
1920 . .	27	16	0	4	16
1921 . .	39	25	0	8	12
1922 . .	39	20	0	8	12
1923 . .	42	23	1	8	12
1924 . .	40	24	2	7	13
1925 . .	46	29	3	13	7
1926 . .	39	28	4	7	13
1926 . .	38	27	4	7	13
1927 . .	43	32	4	10	10
1928 . .	46	35	5	14	6
1929 . .	50	37	5	15	5

Another consideration is the small amount of interest the great majority of the Latin American states are taking in the work that the International Labor Office is doing. As is well known, this office is a mine of information on social and economic matters gleaned from surveys and world-wide contact. In 1925 and 1926 only Argentina, Brazil and Chile made use of these facilities, and together they made but seven inquiries out of 800 received.

Conditions of labor which have been considered by the Organization have dealt very largely with industrial problems; it is, therefore, obvious that the Latin American states have possessed a varying degree of interest in the questions under consideration. Twelve sessions of the Conference have produced 29 draft conventions and 30 recommendations to Member states. The primary object of this body of agreement is to encourage the establishment of similar or cognate national conditions pertaining to

labor. As a consequence, there are several ways of responding to this effort.

(1) A draft convention may be ratified and becomes an international treaty binding upon a state as one of the parties; this may be done with or without conditions;

(2) It may be approved by a competent national authority, in which case national practice is likely to be adjusted to its terms;

(3) Submission to the competent national authority may be a step toward the preceding action, and is called for by Art. 405 of the treaty.

A state for constitutional or other reasons may not wish to take an international engagement in the terms of a draft convention, but may approve them by its own legislation. In taking this attitude,

(4) a state may have passed equivalent legislation prior to the adoption of the convention; or

(5) it may have taken national measures conforming to the agreement after the adoption of the convention.

Recapitulating the progress which the draft conventions and recommendations have made in the Latin American states, we find much the same stratification as elsewhere, that is, Argentina, Brazil, Chile, Cuba, Paraguay and Uruguay attempt to conform to the requirement of Art. 405, that draft conventions must be submitted to the competent authority. Cuba had ratified 16 out of 26 conventions up to March, 1930, and submitted all for consideration. Chile had ratified eight by decree of the President rather than through act of Congress, had submitted eight more for approval and had conformed its regulations to several more. Uruguay had submitted all to the competent authority for approval; Brazil and Paraguay had done so for six each. Bolivia had legislation pending on three, while Colombia had taken other measures to conform to the requirements of 27. Nicaragua had taken such measures respecting 10, Salvador respecting 7, Guatemala and Panama respecting 6 each and Haiti respecting 3. The remaining states give little or no evidence of interest in

putting into effect the conventions and recommendations which some of them have so readily agreed to at the sessions of the Conference.

The International Labor Office seems to be making an effort to stimulate greater cooperation on the part of the American states. The introduction to a recent publication of the Office contains the following:[1]

> We have frequently been reproached that we do not occupy ourselves sufficiently with America, that we are almost exclusively European, that we are not sufficiently documented, that we do not connect up with the numerous groups and individuals who are following the progress of social legislation in the Latin American countries, that we have not as yet established correspondent's offices in America, etc. These complaints which we have heard in various international conferences, and especially in the last, have deeply affected us and we desire to demonstrate in the greatest degree that the International Labor Office, as well as the League of Nations, is occupied with the problems of the entire world.

[1] Translated from *Legislación Social de América Latina*, International Labor Office, Geneva, 1928, Vol. I, p. 5.